by oversight, and not
by intention, the
Government will be
prepared to re-open his
case and to lay it
before the Govt of India
for reconsideration.

W.S.
8.1.84.

No 123 Way 16-1-84

W.S.
14-1-84

To W. A. Laughlin
Esq
16/1/84

Recd 17/1/84

Cirr 8/1 R 14/1

To 18/1

Secretary Legislative Dept

To W

C. No: 11,470.

The Examiner's report leaves the question in about much the same position as it was before. As pointed out in my former note - d/28 - 11 - 83 the contention would seem to turn on the speculation as to whether the omission to grade Mr Laughlin was intentional on the part of the Examiner or was an oversight which might now be rectified. In the absence of direct evidence. the probabilities of the case will have to be considered. So far as these go, it would, I think, be difficult to make out a case in Mr Laughlin's

favor. It has been
assumed throughout
the discussions, extending
over several years, that
Mr Laughlin has had
no claims to be regarded
as an Accountant. The
Examiner, with the
power to grade him,
failed to do so. Had
Mr L. such claims to
be graded as he now
assumes, why were they
not brought forward
for decision at the time
or even subsequently when
his retirement was
under contemplation?
The Examiner would
then have been bound
to record a decision
one way or the other.
As Mr L was not
graded prior to retire-
ment, and there is
nothing to show that
such omission was
an oversight, I do
not see how it can

2/

× both officers had it in their power to order the grading.

was be assumed by
Govt that such oversight
was perpetrated. This
would amount to a
reflection on the Examiners
which there is no
evidence to support.
I can see but one
way to help Mr L
out of his difficulty.
but Mr L must himself
use the means. If he
can get Major Conway
and Major Traill ×
Gordon to admit
the oversight, there
will be some ground
for reopening the
case. without this
I can find none.

K.S.
24.12.83.

Mr Laughlin

In Corr: 6/1

123 W

To W.

I agree with C.A.W. in his remarks in this difficult case. So far as we are concerned there is the definite statement of the Examiner, under date 21st July 1860, that Mr Laughlin was never graded in regular employ in the Accountants Establishment of Madras, and we cannot well go beyond that unless, as suggested by C.A.W., Mr Laughlin will get the Examiner to amend to say that they inadvertently failed to grade him — There is this to be said that if it was merely through an oversight that Petitioner was not graded his case is an uncommonly hard one. C. states that there is nothing definite about the case in the Records of this Office. — CS

31/12

I have gone carefully through these papers & am of opinion that the course suggested by C.A.W. is the only one open to W Laughlin. He should be informed accordingly.

WL

7.1.84.

TESTIMONIALS.

7th November 1856.

MR. LAUGHLAN,

The Secretary grants you a gratuity of a month's pay, *i. e.* 42 Rs., as a reward for your attention to business, and hopes it will be an incentive to correct performance for the future of your duties as it is an earnest of his disposition to reward desert.

(Signed) A. H. H. (Signed) J. C. WILKINSON.

MADRAS MILITARY MALE ORPHAN ASYLUM, No. 150.

This is to certify that William A. Laughlan is permitted to leave the Institution from this date for the purpose of being employed as a Clerk at the Military Male Orphan Asylum Press.

Admitted into the School on the 6th day of April 1849.

Discharged this 13th day of August 1853.

Character during the above period—Good, which I certify.

MADRAS, *28th July* 1858.

(Signed) A. H. HOPE, *Secretary.*

By order of the Governors,

(Signed) A. H. HOPE, *Secretary.*

MADRAS, 15*th September* 1859.

It gives me great pleasure to certify to the integrity and aptitude for business which six years' knowledge enables me to do of Mr. W. A. Laughlan, Clerk Asylum Press.

(Signed) A. H. HOPE, Captain,
3rd M. L. Cavalry.

MADRAS, *February* 25*th*, 1860.

LAUGHLAN,

Consequent on my proceeding to China I have given over charge of the Male Asylum Press to Captain Drury. I cannot however leave Madras without recording and also intimating to you how very satisfied I have been as to the manner in which you have conducted your duties since my assuming the office of Secretary to the Asylum in September last. You have proved yourself well worthy of the praise bestowed upon you by Captain Hope.

Your duties at the Press are arduous and demand constant attention and considerable method, and I can conscientiously affirm that I have never met with your equal among persons of your position.

(Signed) J. W. RIDEOUT.

William Alexander Laughlan, Head Clerk to the Male Asylum Press, has conducted the duty of his Department to my entire satisfaction during the period I have officiated as Secretary to the Male Orphan Asylum.

MADRAS, *7th May* 1860.

(Signed) C. H. DRURY, Captain,
27th Regt. N. I.

MADRAS, 11*th February* 1861.

MR. LAUGHLAN,

I thank you much for your letter of this day's date, and the kindly wishes it conveys. I am sorry to hear that you are at present out of employ, but trust it may not be for long,

In No 207 1/84

your industrious and business-like habits, would I should think, fully prevent such a [illegible] fortune.

Yours faithfully,

(Signed) GEO. TALBOT, Colonel.

MADRAS, 10*th December* 1861.

The Bearer, Mr. Laughlan, has served as Mess Writer of the 34th L. I. since February last. He is intelligent and careful in the conduct of his duties and has in general given the Officers every satisfaction.

(Signed) A. C. SILVER,
Commanding 34th Lt. Infy.

MADRAS, 30*th April* 1863.

This is to certify that owing to a reclassification of the Office Establishment of the Madras Clothing Agency under the authority of Government, Mr. Laughlan who has been in the Department since June 1862 has been thrown out of employment.

I regret this, as Mr. Laughlan has always been attentive, and industrious, while in this department.

He was employed on a salary of Rs. 75 per mensem which he has lost from no fault of his own, and I hope this Certificate will soon enable him to obtain other employment.

(Signed) A. C. SILVER, Lt-Col.,
Superintendent and Agent for Army Clothing.

Certified that Mr. Laughlan, appointed by me as Accountant in the Government Press, conducted his duties to my satisfaction, while I was his official superior.

Mr. Laughlan is I believe a good Accountant, and if his health permits him, well able for a higher appointment, though the Account Work in the Press if properly done is no sinecure.

MERCARA,
December 1864.

(Signed) W. H. KERR, C. S.

Mr. W. A. Laughlan was employed as Accountant of the Government Printing Establishment, Fort St. George, from September 1863 to May 1865, and performed his duties with ability and zeal. He was dismissed under the orders of Government for having taken the benefit of the Insolvent Act.

FORT ST. GEORGE,
20*th July* 1865.

(Signed) H. SMITH,
Superintendent Govt. Printing Press.

Mr. W. A. Loughlan was employed in the Government Press at the time of my taking charge in July 1864, as Accountant; and I believe I am only doing him justice in stating that the accounts in his hands were well and punctually kept. His insolvency caused his suspension, shortly before I took leave in April last, and I now find that Government declined to reinstate him.

I have never had reason to find any fault with him and should be glad to hear of his obtaining suitable employment.

(Signed) C. G. WALKER,
Under-Secretary to Government.

July 25, 1865.

Read Letter from Mr. Laughlan to W. H. Kerr, Esquire, Superintendent of Coorg.

Answer thereto dated Coorg, 21st August 1864.

MR. LAUGHLAN.

The best testimonal you can get as to the way in which you have performed your duties as Accountant in the Press will be the Auditor's Report. To the best of my knowledge you kept the accounts well and correctly while I was Supervisor, and you certainly kept them

[illegible]tly and had them always written up to date; but until I know the result of the Auditor's examination I cannot say more. I shall be glad of course to hear of your getting on and getting higher pay, but I must say that I should not feel myself justified in supporting the application which you tell me you are going to make; and if you take my advice you will not make it at least at present.

* * * * *

Yours faithfully,

(Signed) W. H. KERR.

Extract from the Proceedings of the Madras Government in the Public Department, dated 21*st September* 1865.

From J. MACKEY, Esquire, Auditor of the Press Accounts; to the Chief Secretary to Government, dated 30th July 1864.

* * * * *

Paragraph 13. From all that I have seen I believe the Press Accounts to be faithfully kept by Mr. W. A. Laughlan, the Accountant.

(True copy.)

(Signed) W. A. LAUGHLIN.

No. 1810 of 1865.

The Government have no objection to the re-employment of Mr. Laughlan in the Public Service.

FORT SAINT GEORGE, 22*nd August* 1865.

(By order.)

(Signed) C. G. WALKER,
Under-Secretary to Government.

Read Letter from Mr. W. A. Laughlan to S. Brock, Esq., Controller, P. W. Accounts, Madras, dated 20th February 1869.

Answer thereto.

I will bear Mr. Laughlan's case in mind, and, if a suitable opportunity offer, will certainly place him in a better position in the office.

(Signed) S. BROCK.

Read Letter from Mr. W. A. Laughlan to S. Brock, Esq., Controller, P. W. Accounts, Madras, dated 1st July 1869.

Answer thereto.

Very well. I know Mr. Laughlan to be really a hard working man.

(Signed) S. BROCK.

Has made himself useful in the office, he is a good accountant and regular in his attendance in office.

17*th September* 1867.

(Signed) J. F. FISHER,
Captain, R. E.

He has continued to be steady, attentive, and satisfactory in the performance of his duties.

28*th May* 1868.

(Signed) P. P. L. O'CONNEL,
Lt.-Col., R. E.

An intelligent steady man in whom I have always felt an interest. He applies himself to his work with energy, and as Sub-Auditor in the 1st Division has given very great satisfaction. It was my intention, if the scheme submitted to Government in my letter No. 2525, dated 29-1-73, had been sanctioned before my relief, to have given Mr. Laughlan the audit of one of the small Districts.

April 1873.

(Signed) S. BROCK.

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Grounds on which he (Mr. W. A. LAUGHLIN, late Accountant Examiner's Office, Public Works Accounts), bases his claims to the concessions granted to Accountants, retiring under Government of India, Finance and Commerce Department Resolution, No. 2079, P. W. D., dated 31st July 1879, viz : *an average pension for service above ten years, and a bonus of twelve months' salary.*

4th April 1876. The Government in Order No. 878, dated 4th April 1876, approved and sanctioned the formation in Madras of a separate Accounts Branch, placed under the orders of the Examiner of Public Works Accounts, to consist eventually of Accountants divided into Grades. (A Gradation List of the Establishments in the Public works Department of this Presidency which had hitherto remained distinct from that maintained by the Government of India's General List of Accountants was published annually under the authority of Government).

13th June 1876. The Examiner of Public Works Accounts addressed to him Circular No. 40, dated 13th June 1876, which *stipulated* certain conditions of Service to qualify for appointment to the Accounts Branch of Accountant, which conditions he readily and willingly accepted in terms of para 2 thereof rather than remain on the footing which that Circular would otherwise, *prejudicially* have assigned to him.

Circular No. 40 of 1876, Para 2. In the first place, all those who under Government Order No. 878, dated April 4th, 1876, have been placed under the general orders of the Examiner, i, e, all the *Head Accountants* in the Divisional Offices, as well as the *Auditors* in the Examiner's Office, will be allowed the option of choosing whether they will accept service as *Accountants* under the conditions laid down in Chapter II, iii, of the Public Works Code, or whether they will remain on their present footing.

25th July 1876. He *Covenanted* to serve as an *Accountant* in terms of paras 3 and 8 of Circular No. 40 of 1876, which guaranteed his being gazetted at once on signing this contract and his name eligible for incorporation with the General List of Accountants under the Government of India's Establishment, as was suggested by the Examiner approved by the Madras Government, and sanctioned by the Government of India in their letter No. 1196, E. G., dated 30th August 1878.

Circular No. 40 of 1876, para 3. If they are willing to accept service as Accountants, they will be required to sign a statement to that effect [Cr. Wks. Form No. 257]. On signing this, those who by their general intelligence and ability have, in the opinion of the Examiner, given promise of becoming efficient Accountants, will be gazetted at once as Accountants in their respective grades on probation, subject to their passing the prescribed Examinations (Chapter II., iii., paras 2 and 4.-B.) within one year ; the others will not be gazetted until they have actually passed the Entrance Examiuation and thus shown themselves qualified for the appointments, and they will also remain on probation for one year and be required to pass the Examination in Divisional Accounts.

Circular No. 40 of 1876, para 8. All now employed as Accountants will fill in and send to the Examiner, as early as possible, the accompanying letter informing him whether they wish to remain on their present footing, or whether they prefer to accept the conditions of Service laid down in the Public Works Code, and to be gazetted as Accountants.

To

The Examiner, P. W. ACCOUNTS,
Madras.
(Through the Executive Officer)

Dated 25th July 1876.

Sir,

I have the honor to inform you that I (a) wish to be appointed to the Accounts Branch, and that I am (b) willing to accept the conditions of Service and to qualify for the appointment.

I have the honor to be,
Sir,
Your most obedient Servant,

Acting Accountant W. A. Laughlin Division. Examiner's Office, P. W. A.

(*Exr. Wks. Form No.* 257.) *Public Works Department.*

I William Alexander Laughlin, on being engaged as Accountant Fourth Grade, do hereby declare my readiness to serve as Fourth Grade Accountant in any place in the Presidency of Madras, and as Accountant in the 4th or any higher Grade in any place in British India. I further declare that all the instructions and regulations contained in the Public Works Code have been read over by me, and that I clearly understand them, and I hereby bind myself to obey and abide by the instructions and regulations contained in the Public Works Code or that may from time to time be issued by Government. As witness my hand this 25th day of July 1876.

Witness to signature,
J. T. MADDOX.
A. STREENEVASSOOLOO.

W. A. LAUGHLIN,
4th Grade Accountant.

11th September 1878. The Madras Government in Order No. 3578 W, dated 11th September 1878, directed the Examiner P. W. Accounts, to submit a List of Accountants eligible for exemption from passing the Public Works Entrance Examination test (referred to in para 3 of Circular No. 40 of 1876) and consequent gradation.

4th October 1878. The Examiner of P. W. Accounts, after a regular service test of $2\frac{1}{4}$ years of the entire staff of Accountants, selected 12 of them who were in his opinion worthy of such exemption and accordingly forwarded the List of Accountants with their respective qualifications and grades for the approval of the Accountant General P. W. D., (Bengal), with his letter No. 116 A, dated 4th October 1878.

25th December 1878. The Accountant General, P. W. D., (Bengal), in his letter to the Examiner of P. W. Accounts, dated 25th December 1878, accordingly approved and sanctioned the said List of Accountants. The Government of Madras, through their Secretary in the Public Works Department made, from time to time, calls on the Examiner of P. W. Accounts, to grade these Accountants (the power to do so being vested in him,—vide P. W. Code of 1877) but no action appears to have been taken on Major Pennycuick's requests.

Public Works Code of 1877. Accounts Branch. 21. Appointments of *Accountants of the* 4th *and* 5th *Grades* will be made by the *Examiner*, but first appointments to a higher grade than Accountant 4th grade, require the confirmation of Government.

31st July 1879. The Government of India, Finance and Commerce Department Resolution No. 2079 P. W. D. dated 31st July 1879, directed a reduction of Establishments, and the grant of an average pension for service above 10 years, and a bonus of 12 months' salary, to *all Accountants retiring*.

(a) Here enter the words 'do not' If not willing to enter the Accounts Branch
(b) Do. the word 'not' do.

28th January 1880. The Madras Government in Order No. 218 W. P. W. D., dated 28th January 1880, while discussing the claims of men generally to the concessions, see paras 7 and 8 thereof, proposed and the Govt. of India approved, as per G. O. No. 323 W, P. W. D, dated 12th February 1880, the measures that appeared to them *as fair and just to the individuals as well as to the public interests*, and have most unmistakeably allowed due consideration under the exceptional circumstances of his case and clearly set forth in their Order, vide clause 1 of para 8, and consequently that he is thereby rendered eligible to the proffered concessions on retirement viz :—

He had been " regularly and *bonâfide* employed upon the legitimate duties of Accountant." *These duties were identical with those performed by the Accountants of other Presidencies and Provinces, and who, on retirement, received these concessions.*

He had " conducted those duties satisfactorily as shown by the reports of the Officers concerned." *Shortly before proceeding on furlough in 1879, Major Conway-Gordon, R. E., reported to Government that he was fully and satisfactorily convinced that the Accountants, in Madras, were a class of men superior to any he had known in India, and regretted that their salaries were not in proportion to their deserts,—in fact, that they were the worst paid Accountants in India and were inferior to the Bengal men only in respect of salary.*

He had " *Audited* for many years, often single handed, important *Divisional Accounts*" of more than 13 (Ranges) Divisions, Monthly, and was never found fault with, as will be seen from the Records in the Examiner's Office.

He had *Covenanted* to serve as Accountant of the *Fourth* or any *higher Grade* in any place in British India, and signed a contract binding himself to obey and abide by the regulations of Government, on the 25th July 1876, *about 3 years and 9 months previous to retirement.*

He had been " *Exempted* from the Entrance Examination" and declared an Accountant of the 4th Grade, by the highest authority in the Accounts Branch in the P. W. D, viz, the Accontant General P. W. D, Bengal, *on the 25th December 1878, about 15 months anterior to retirement.*

He had been provided for in the Budget Estimate of the Public Works Deparment of 1879-80, and in the previous years, as an Accountant of the 4th Grade.

He had *even* been graded Accountant of the 4th Grade corresponding to his salary, as shown in the Annual Classified List of the P. W. D, published under the authority of Government in 1876-77, *distinct* from that of "Clerk".

He had also passed the Uncovenanted Civil Service Examination in the year 1862, which secured his admission and future advancement in the *Public Service.*

18th March 1880. The Examiner of Public Works Accounts (Colonel D. H. Traill, R. E,) directed his retirement on the 18th March 1880, in consequence of general reductions in the Public Works Department.

21st July 1880. The Examiner of Public Works Accounts in his Letter No. 70 W, dated 21st July 1880, printed with G. O. No. 2052 W, P. W. D, dated 30th August 1880, reported that he was not entitled to the concessions in question granted to *all Accountants* retiring under India's Resolution because he was never *graded* or regularly brought into the Accountants' Establishment of this Presidency, " but was retired as a Clerk" and for the same reason disallowed his claims to Presidency Allowance and House Rent. Vide paras 4, 5 and 6 of the G. O. quoted.

Having thus possessed all the qualifications of an Accountant *before retiring*, he is now considered by the Examiner of Public Works Accounts, at this late date, *21st July 1880*, a " Clerk" and consequently not entitled to the concessions from no fault of his,—he having fulfilled all the conditions required of an Accountant, but simply from a *formality* of not having been graded through an obvious omission on the part of the Examiner.

It should here be noticed that employès similarly situated but who were not forced to retire, were subsequently graded and admitted to the enhanced emoluments of Presidency House Rent and Allowance, and also that an Accountant of *like status* as himself but who was fortunate to have been shortly before graded had therefore benefitted by the Concessions on retirement.

From the above it will be seen that he has lost the Concessions accorded to Accountants by the Government of India, simply because he had not undergone the formality of having been included in the Government of India's General List of Accountants, and yet members of the Executive Branch of this Presidency though not incorporated with Government of India's General Establishments List were held qualified and admitted to the concessions on their retirement.

It will be obvious that his not receiving the proffered concessions in question was simply due to the omission on the part of the Examiner of Public Works Accounts to *grade* him, although frequently requested by the Local Government to do so,—the loss suffered is therefore entirely due to such omission on the part of the Examiner to grade him whilst both the Local and Supreme Governments have also clearly admitted his claims thereto, in their Orders Nos. 218 W, and 323 W, of 1880 referred to above. This being the case, he feels he is entitled to the *proffered* concessions on retirement for the reasons stated herein

MADRAS,
24th Novr 1883.

W. A. Laughlin *late Accountant.*
Examiner's office P. W. Accounts.
Madras.

TO

COLONEL THE HONORABLE
JOHN HERON MAXWELL SHAW-STEWART,
Royal Engineers,
CHIEF ENGINEER AND
SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
FORT SAINT GEORGE,
Madras.

Enclosure. One.

HONORABLE SIR,

I humbly beg to submit an Account of my Services in the Office of the Examiner of Public Works Accounts and most respectfully to solicit that the Government, through your generous advocacy, would once again consider my case, and recommend me as an *Accountant* fully entitled to the concessions proffered to all Accountants retiring under Government of India Resolution No. 2079, of 31st July 1879.

2. The facts already before Government viewed in the more clearer light of additional facts now advanced would, I humbly opine, present my case more favorably to Government, and obtain for me the boon (I so earnestly crave) proposed by Government and approved by the Government of India *as fair and just to the individuals concerned, as well as to public interests*, to be granted to Accountants of my *status*,—Vide their Orders Nos. 218 W, and 323 W, of 1880.

3. The concessions referred to namely, *an average pension for service above ten years, and a bonus of* 12 *months' salary*, were assured to me, if I retired, by Major H. Le. M. Carey, officiating Examiner P. W. A., who induced me to with-hold the representations I was about to make to the Secretary to Government, Public Works Department, through that officer.

4. That I expected to obtain the *proffered* concessions on retirement without representation will be clear from the fact that a " Reference Picker" (Annasawmy Moodelliar) was appointed as Accountant of the Fifth Grade, and was in receipt of the enhanced emoluments of Presidency Allowance and House Rent for a month, without having been subjected to any test whatever. This appointment was subsequently cancelled on ascertaining afterwards that the said " Reference Picker" had been a mere " Clerk" throughout his period of service, which I was not considered.

5. Further, Major L. Conway-Gordon, R. E., assured S. Soobaroy Moodelliar " a Clerk" of the same office employed on accounts duties but who had *not* elected for general service and who was *not* one of the (" Covenanted") number (12) previously *Exempted* from the Public Works Entrance Examination and declared Accountants by the Accountant General P. W. D. (Bengal), that he had nothing to fear on the score of short service to complete for the ordinary half pension as he would benefit by the average pension and bonus ; and that Officer very kindly calculated the average pension that this employè would be entitled to on his retirement.

6. Under the above circumstances and the Grounds on which my claims to the concessions have been established the Government, have recognised my eligibility to these concessions and, also considerately accorded me justice. But unhappily the benefits of the concessions have been denied to me by the Examiner of P. W. Accounts (Colonel D. H. Traill, R. E.), simply *because he had omitted to have my name incorporated* in the List of Accountants under the Government of India Establishment of Accountants as in case of *exempted* men retained in the service and graded, which omission has operated prejudicially to my interests as a *Public Servant*. I therefore most humbly crave the *protection* of Government to a rectification of the omission on the part of the Examiner of P. W. Accounts and to the loss pecuniarily sustained by me as detailed in paras 1, 4, 5 and 6 of G. O. No. 2052 W. P. W. D., dated 30th August 1880, *from no fault of my own*.

7. In conclusion I beg to state that I feel the loss of enhanced pension &c., the more keenly, as I am a cripple, deprived of the use of both my legs, which deformity is a bar to my obtaining private employment.

I beg to remain,

Honorable Sir,

Your Most Obedient and Humble Servant,

W. A. Laughlin *late Accountant,*

Examiner's Office P. W. A.

now a Government Pensioner.

MADRAS,
24th Nov 1883.

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ACCTS

Triplicate

From

Mr. W. A. Laughlin
late Accountant
Examiner's Office P.W.A.
Madras

To

Colonel The Honorable
J. H. M. Shaw-Stewart
Royal Engineers
Chief Engineer and
Secretary to Government,
Public Works Department
Madras

Encl. 5
1147/1

Enclosure One.

Dated Nov 1883.

Received

Humbly beg publishing protection that for reasons herein stated, he be recommended an Accountant fully entitled on retirement to the Concessions proffered under Govt of India Resolution No. 2079 of 31st July 1879, proposed by Government and approved by Government of India to be granted to Accountants of his status but which were unhappily denied because the Examiner of P.W.A. omitted to grade him as such and therefore declared him a Clerk, which omission he earnestly craves to have rectified

Grounds on which he (Mr. W. A. LAUGHLIN, late Accountant Examiner's Office, Public Works Accounts), bases his claims to the concessions granted to Accountants, retiring under Government of India, Finance and Commerce Department Resolution, No. 2079, P. W. D., dated 31st July 1879, viz : *an average pension for service above ten years, and a bonus of twelve months' salary.*

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To

The Examiner, P. W. ACCOUNTS,
Madras.
(Through the Executive Officer)
Dated 25th July 1876.

Sir,

I have the honor to inform you that I (a) wish to be appointed to the Accounts Branch, and that I am (b) willing to accept the conditions of Service and to qualify for the appointment.

I have the honor to be,
Sir,
Your most obedient Servant,
Acting Accountant W. A. Laughlin Division. Examiner's Office, P. W. A.

(*Exr. Wks. Form No.* 257.) *Public Works Department.*

I William Alexander Laughlin, on being engaged as Accountant Fourth Grade, do hereby declare my readiness to serve as Fourth Grade Accountant in any place in the Presidency of Madras, and as Accountant in the 4th or any higher Grade in any place in British India. I further declare that all the instructions and regulations contained in the Public Works Code have been read over by me, and that I clearly understand them, and I hereby bind myself to obey and abide by the instructions and regulations contained in the Public Works Code or that may from time to time be issued by Government. As witness my hand this 25th day of July 1876.

Witness to signature,
J. T. MADDOX.
A. STREENEVASSOOLOO.

W. A. LAUGHLIN,
4th Grade Accountant.

11th September 1878. The Madras Government in Order No. 3578 W, dated 11th September 1878, directed the Examiner P. W. Accounts, to submit a List of Accountants eligible for exemption from passing the Public Works Entrance Examination test (referred to in para 3 of Circular No. 40 of 1876) and consequent gradation.

4th October 1878. The Examiner of P. W. Accounts, after a regular service test of $2\frac{1}{4}$ years of the entire staff of Accountants, selected 12 of them who were in his opinion worthy of such exemption and accordingly forwarded the List of Accountants with their respective qualifications and grades for the approval of the Accountant General P. W. D., (Bengal), with his letter No. 116 A, dated 4th October 1878.

25th December 1878. The Accountant General, P. W. D., (Bengal), in his letter to the Examiner of P. W. Accounts, dated 25th December 1878, accordingly approved and sanctioned the said List of Accountants. The Government of Madras, through their Secretary in the Public Works Department made, from time to time, calls on the Examiner of P. W. Accounts, to grade these Accountants (the power to do so being vested in him,—vide P. W. Code of 1877) but no action appears to have been taken on Major Pennycuick's requests.

Public Works Code of 1877. Accounts Branch. 21. Appointments of *Accountants of the* 4th *and 5th Grades* will be made by the *Examiner*, but first appointments to a higher grade than Accountant 4th grade, require the confirmation of Government.

31st July 1879. The Government of India, Finance and Commerce Department Resolution No. 2079 P. W. D. dated 31st July 1879, directed a reduction of Establishments, and the grant of an average pension for service above 10 years, and a bonus of 12 months' salary, to *all Accountants retiring*.

(*a*) Here enter the words 'do not' If not willing to enter the Accounts Branch
(*b*) Do. the word 'not' do.

28th January 1880. The Madras Government in Order No. 218 W. P. W. D., dated 28th January 1880, while discussing the claims of men generally to the concessions, see paras 7 and 8 thereof, proposed and the Govt. of India approved, as per G. O. No. 323 W, P. W. D, dated 12th February 1880, the measures that appeared to them *as fair and just to the individuals as well as to the public interests*, and have most unmistakeably allowed due consideration under the exceptional circumstances of his case and clearly set forth in their Order, vide clause 1 of para 8, and consequently that he is thereby rendered eligible to the proffered concessions on retirement viz :—

He had been " regularly and *bonâfide* employed upon the legitimate duties of Accountant." *These duties were identical with those performed by the Accountants of other Presidencies and Provinces, and who, on retirement, received these concessions.*

He had " conducted those duties satisfactorily as shown by the reports of the Officers concerned." *Shortly before proceeding on furlough in 1879, Major Conway-Gordon, R. E., reported to Government that he was fully and satisfactorily convinced that the Accountants, in Madras, were a class of men superior to any he had known in India, and regretted that their salaries were not in proportion to their deserts,—in fact, that they were the worst paid Accountants in India and were inferior to the Bengal men only in respect of salary.*

He had " *Audited* for many years, often single handed, important *Divisional Accounts*" of more than 13 (Ranges) Divisions, Monthly, and was never found fault with, as will be seen from the Records in the Examiner's Office.

He had *Covenanted* to serve as Accountant of the *Fourth* or any *higher Grade* in any place in British India, and signed a contract binding himself to obey and abide by the regulations of Government, on the 25th July 1876, *about 3 years and 9 months previous to retirement.*

He had been " *Exempted* from the Entrance Examination" and declared an Accountant of the 4th Grade, by the highest authority in the Accounts Branch in the P. W. D, viz, the Accontant General P. W. D, Bengal, *on the 25th December 1878, about 15 months anterior to retirement.*

He had been provided for in the Budget Estimate of the Public Works Deparment of 1879-80, and in the previous years, as an Accountant of the 4th Grade.

He had *even* been graded Accountant of the 4th Grade corresponding to his salary, as shown in the Annual Classified List of the P. W. D, published under the authority of Government in 1876-77, *distinct* from that of "Clerk".

He had also passed the Uncovenanted Civil Service Examination in the year 1862, which secured his admission and future advancement in the *Public Service.*

18th March 1880. The Examiner of Public Works Accounts (Colonel D. H. Traill, R. E,) directed his retirement on the 18th March 1880, in consequence of general reductions in the Public Works Department.

21st July 1880. The Examiner of Public Works Accounts in his Letter No. 70 W, dated 21st July 1880, printed with G. O. No. 2052 W, P. W. D, dated 30th August 1880, reported that he was not entitled to the concessions in question granted to *all Accountants* retiring under India's Resolution because he was never *graded* or regularly brought into the Accountants' Establishment of this Presidency, "but was retired as a Clerk" and for the same reason disallowed his claims to Presidency Allowance and House Rent. Vide paras 4, 5 and 6 of the G. O. quoted.

Having thus possessed all the qualifications of an Accountant *before retiring*, he is now considered by the Examiner of Public Works Accounts, at this late date, *21st July 1880*, a "Clerk" and consequently not entitled to the concessions from no fault of his,—he having fulfilled all the conditions required of an Accountant, but simply from a *formality* of not having been graded through an obvious omission on the part of the Examiner.

It should here be noticed that employès similarly situated but who were not forced to retire, were subsequently graded and admitted to the enhanced emoluments of Presidency House Rent and Allowance, and also that an Accountant of *like status* as himself but who was fortunate to have been shortly before graded had therefore benefitted by the Concessions on retirement.

From the above it will be seen that he has lost the Concessions accorded to Accountants by the Government of India, simply because he had not undergone the formality of having been included in the Government of India's General List of Accountants, and yet members of the Executive Branch of this Presidency though not incorporated with Government of India's General Establishments List were held qualified and admitted to the concessions on their retirement.

It will be obvious that his not receiving the proffered concessions in question was simply due to the omission on the part of the Examiner of Public Works Accounts to *grade* him, although frequently requested by the Local Government to do so,—the loss suffered is therefore entirely due to such omission on the part of the Examiner to grade him whilst both the Local and Supreme Governments have also clearly admitted his claims thereto, in their Orders Nos. 218 W, and 323 W, of 1880 referred to above. This being the case, he feels he is entitled to the *proffered* concessions on retirement for the reasons stated herein

MADRAS.
24th Nov 1883.

W. A. Laughlin *late Accountant.*
Examiner's office P. W. Accounts.
Madras.

TO

COLONEL THE HONORABLE
JOHN HERON MAXWELL SHAW-STEWART,
Royal Engineers,
CHIEF ENGINEER AND
SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
FORT SAINT GEORGE,
Madras.

Enclosure *One.*

HONORABLE SIR,

I humbly beg to submit an Account of my Services in the Office of the Examiner of Public Works Accounts and most respectfully to solicit that the Government, through your generous advocacy, would once again consider my case, and recommend me as an *Accountant* fully entitled to the concessions proffered to all Accountants retiring under Government of India Resolution No. 2079, of 31st July 1879.

2. The facts already before Government viewed in the more clearer light of additional facts now advanced would, I humbly opine, present my case more favorably to Government, and obtain for me the boon (I so earnestly crave) proposed by Government and approved by the Government of India *as fair and just to the individuals concerned, as well as to public interests,* to be granted to Accountants of my *status*,—Vide their Orders Nos. 218 W, and 323 W, of 1880.

3. The concessions referred to namely, *an average pension for service above ten years, and a bonus of* 12 *months' salary,* were assured to me, if I retired, by Major H. Le. M. Carey, officiating Examiner P. W. A., who induced me to with-hold the representations I was about to make to the Secretary to Government, Public Works Department, through that officer.

4. That I expected to obtain the *proffered* concessions on retirement without representation will be clear from the fact that a "Reference Picker" (Annasawmy Moodelliar) was appointed as Accountant of the Fifth Grade, and was in receipt of the enhanced emoluments of Presidency Allowance and House Rent for a month, without having been subjected to any test whatever. This appointment was subsequently cancelled on ascertaining afterwards that the said "Reference Picker" had been a mere "Clerk" throughout his period of service, which I was not considered.

5. Further, Major L. Conway-Gordon, R. E., assured S. Soobaroy Moodelliar " a Clerk" of the same office employed on accounts duties but who had *not* elected for general service and who was *not* one of the (" Covenanted") number (12) previously *Exempted* from the Public Works Entrance Examination and declared Accountants by the Accountant General P. W. D. (Bengal), that he had nothing to fear on the score of short service to complete for the ordinary half pension as he would benefit by the average pension and bonus ; and that Officer very kindly calculated the average pension that this employè would be entitled to on his retirement.

6. Under the above circumstances and the Grounds on which my claims to the concessions have been established the Government, have recognised my eligibility to these concessions and, also considerately accorded me justice. But unhappily the benefits of the concessions have been denied to me by the Examiner of P. W. Accounts (Colonel D. H. Traill, R. E.), simply *because he had omitted to have my name incorporated* in the List of Accountants under the Government of India Establishment of Accountants as in case of *exempted* men retained in the service and graded, which omission has operated prejudicially to my interests as a *Public Servant*. I therefore most humbly crave the *protection* of Government to a rectification of the omission on the part of the Examiner of P. W. Accounts and to the loss pecuniarily sustained by me as detailed in paras 1, 4, 5 and 6 of G. O. No. 2052 W. P. W. D., dated 30th August 1880, *from no fault of my own.*

7. In conclusion I beg to state that I feel the loss of enhanced pension &c., the more keenly, as I am a cripple, deprived of the use of both my legs, which deformity is a bar to my obtaining private employment.

I beg to remain,

Honorable Sir,

Your Most Obedient and Humble Servant,

W. A. Laughlin late Accountant,
Examiner's Office P. W. A.
now a Government Pensioner.

MADRAS,
24th Novr 1883.

1102 M
1893

Duplicate

From

Mr. W. A. Laughlin
late Accountant
Examiner's Office P.W.A.
Madras.

To

Colonel The Honorable
J. H. M. Shaw-Stewart
Royal Engineers
Chief Engineer and
Secretary to Government,
Public Works Department.
Madras

Enclosure One. W Encl. 3 1170/1

Dated Novr 1883

Received

Humbly beg pleading protection that for reasons herein stated, that he be recommended an Accountant fully entitled on retirement to the concessions proffered under Govt of India Resolution No 2079 of 31st July 1879, proposed by Government and approved by Government of India to be granted to Accountants of his status but which were unhappily denied because the Examiner of P.W.A omitted to grade him as such and therefore declared him a Clerk, which omission he earnestly craves to have rectified.

Grounds on which he (Mr. W. A. LAUGHLIN, late Accountant Examiner's Office, Public Works Accounts), bases his claims to the concessions granted to Accountants, retiring under Government of India, Finance and Commerce Department Resolution, No. 2079, P. W. D., dated 31st July 1879, viz : *an average pension for service above ten years, and a bonus of twelve months' salary.*

4th April 1876. The Government in Order No. 878, dated 4th April 1876, approved and sanctioned the formation in Madras of a separate Accounts Branch, placed under the orders of the Examiner of Public Works Accounts, to consist eventually of Accountants divided into Grades. (A Gradation List of the Establishments in the Public works Department of this Presidency which had hitherto remained distinct from that maintained by the Government of India's General List of Accountants was published annually under the authority of Government).

13th June 1876. The Examiner of Public Works Accounts addressed to him Circular No. 40, dated 13th June 1876, which *stipulated* certain conditions of Service to qualify for appointment to the Accounts Branch of Accountant, which conditions he readily and willingly accepted in terms of para 2 thereof rather than remain on the footing which that Circular would otherwise, *prejudicially* have assigned to him.

> Circular No. 40 of 1876, Para 2. In the first place, all those who under Government Order No. 878, dated April 4th, 1876, have been placed under the general orders of the Examiner, i, e, all the *Head Accountants* in the Divisional Offices, as well as the *Auditors* in the Examiner's Office, will be allowed the option of choosing whether they will accept service as *Accountants* under the conditions laid down in Chapter II, iii, of the Public Works Code, or whether they will remain on their present footing.

25th July 1876. He *Covenanted* to serve as an *Accountant* in terms of paras 3 and 8 of Circular No. 40 of 1876, which guaranteed his being gazetted at once on signing this contract and his name eligible for incorporation with the General List of Accountants under the Government of India's Establishment, as was suggested by the Examiner approved by the Madras Government, and sanctioned by the Government of India in their letter No. 1196, E. G., dated 30th August 1878.

> Circular No. 40 of 1876, para 3. If they are willing to accept service as Accountants, they will be required to sign a statement to that effect [Cr. Wks. Form No. 257]. On signing this, those who by their general intelligence and ability have, in the opinion of the Examiner, given promise of becoming efficient Accountants, will be gazetted at once as Accountants in their respective grades on probation, subject to their passing the prescribed Examinations (Chapter II., iii., paras 2 and 4.-B.) within one year ; the others will not be gazetted until they have actually passed the Entrance Examiuation and thus shown themselves qualified for the appointments, and they will also remain on probation for one year and be required to pass the Examination in Divisional Accounts.

> Circular No. 40 of 1876, para 8. All now employed as Accountants will fill in and send to the Examiner, as early as possible, the accompanying letter informing him whether they wish to remain on their present footing, or whether they prefer to accept the conditions of Service laid down in the Public Works Code, and to be gazetted as Accountants.

To

The Examiner, P. W. ACCOUNTS,
Madras.
(Through the Executive Officer)

Dated 25th July 1876.

Sir,

I have the honor to inform you that I (a) wish to be appointed to the Accounts Branch, and that I am (b) willing to accept the conditions of Service and to qualify for the appointment.

I have the honor to be,
Sir,
Your most obedient Servant,
Acting Accountant W. A. Laughlin Division. Examiner's Office, P. W. A.

(*Exr. Wks. Form No. 257.*) *Public Works Department.*

I William Alexander Laughlin, on being engaged as Accountant Fourth Grade, do hereby declare my readiness to serve as Fourth Grade Accountant in any place in the Presidency of Madras, and as Accountant in the 4th or any higher Grade in any place in British India. I further declare that all the instructions and regulations contained in the Public Works Code have been read over by me, and that I clearly understand them, and I hereby bind myself to obey and abide by the instructions and regulations contained in the Public Works Code or that may from time to time be issued by Government. As witness my hand this 25th day of July 1876.

Witness to signature,
J. T. MADDOX.
A. STREENEVASSOOLOO.

W. A. LAUGHLIN,
4th Grade Accountant.

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He had been " regularly and *bonâfide* employed upon the legitimate duties of Accountant." *These duties were identical with those performed by the Accountants of other Presidencies and Provinces, and who, on retirement, received these concessions.*

He had " conducted those duties satisfactorily as shown by the reports of the Officers concerned." *Shortly before proceeding on furlough in 1879, Major Conway-Gordon, R. E., reported to Government that he was fully and satisfactorily convinced that the Accountants, in Madras, were a class of men superior to any he had known in India, and regretted that their salaries were not in proportion to their deserts,—in fact, that they were the worst paid Accountants in India and were inferior to the Bengal men only in respect of salary.*

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Having thus possessed all the qualifications of an Accountant *before retiring*, he is now considered by the Examiner of Public Works Accounts, at this late date, *21st July 1880*, a " Clerk" and consequently not entitled to the concessions from no fault of his,—he having fulfilled all the conditions required of an Accountant, but simply from a *formality* of not having been graded through an obvious omission on the part of the Examiner.

It should here be noticed that employès similarly situated but who were not forced to retire, were subsequently graded and admitted to the enhanced emoluments of Presidency House Rent and Allowance, and also that an Accountant of *like status* as himself but who was fortunate to have been shortly before graded had therefore benefitted by the Concessions on retirement.

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MADRAS.
24th Novr 1883.

W. A. Laughlin late Accountant.
Examiner's office P. W. Accounts.
Madras.

TO

COLONEL THE HONORABLE
JOHN HERON MAXWELL SHAW-STEWART,
Royal Engineers,
CHIEF ENGINEER AND
SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,
FORT SAINT GEORGE,
Madras.

Enclosure One.

HONORABLE SIR,

I humbly beg to submit an Account of my Services in the Office of the Examiner of Public Works Accounts and most respectfully to solicit that the Government, through your generous advocacy, would once again consider my case, and recommend me as an *Accountant* fully entitled to the concessions proffered to all Accountants retiring under Government of India Resolution No. 2079, of 31st July 1879.

2. The facts already before Government viewed in the more clearer light of additional facts now advanced would, I humbly opine, present my case more favorably to Government, and obtain for me the boon (I so earnestly crave) proposed by Government and approved by the Government of India *as fair and just to the individuals concerned, as well as to public interests*, to be granted to Accountants of my *status*,—Vide their Orders Nos. 218 W, and 323 W, of 1880.

3. The concessions referred to namely, *an average pension for service above ten years, and a bonus of* 12 *months' salary*, were assured to me, if I retired, by Major H. Le. M. Carey, officiating Examiner P. W. A., who induced me to with-hold the representations I was about to make to the Secretary to Government, Public Works Department, through that officer.

4. That I expected to obtain the *proffered* concessions on retirement without representation will be clear from the fact that a " Reference Picker" (Annasawmy Moodelliar) was appointed as Accountant of the Fifth Grade, and was in receipt of the enhanced emoluments of Presidency Allowance and House Rent for a month, without having been subjected to any test whatever. This appointment was subsequently cancelled on ascertaining afterwards that the said " Reference Picker" had been a mere " Clerk" throughout his period of service, which I was not considered.

5. Further, Major L. Conway-Gordon, R. E., assured S. Soobaroy Moodelliar "a Clerk" of the same office employed on accounts duties but who had *not* elected for general service and who was *not* one of the ("Covenanted") number (12) previously *Exempted* from the Public Works Entrance Examination and declared Accountants by the Accountant General P. W. D. (Bengal), that he had nothing to fear on the score of short service to complete for the ordinary half pension as he would benefit by the average pension and bonus; and that Officer very kindly calculated the average pension that this employè would be entitled to on his retirement.

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7. In conclusion I beg to state that I feel the loss of enhanced pension &c., the more keenly, as I am a cripple, deprived of the use of both my legs, which deformity is a bar to my obtaining private employment.

I beg to remain,

Honorable Sir,

Your Most Obedient and Humble Servant,

W. A. Laughlin *late Accountant,*
Examiner's Office P. W. A.
now a Government Pensioner.

MADRAS,
24th Nov 1883.

1102 W
1 SEP 83
P. W. ACCTS.

Original

From Mr. C No 1042 Q

Mr. W. A. Laughlin
late Accountant
Examiner's Office P.W.A.
Madras.

To Colonel The Honorable
J. H. M. Shaw-Stewart,
Royal Engineers
Chief Engineer and
Secretary to Government
Public Works Department,
Madras.

W. Secl. Madras.
1147 0/2 83

Enclosure One.

Dated Nov 1883

Received 26 — — 83 Enclosure

No. 123 Way 16-1-84

Humbly beg[illegible]
protection that for reasons
herein stated, he be recommend-
ed an Accountant fully
entitled on retirement to the
Concessions proffered under
Govt of India Resolution
No 2079 of 31st July 1879 sanctioned
by Government and approved by
Government of India to be granted
to Accountants of his status
but which were unhesitatingly denied
because the Examiner of P.W.A
omitted to grade him as such and
therefore declared him a Clerk,
which omission he gravely
craves to have rectified

No. 167 W.

From

THE EXAMINER,
PUBLIC WORKS ACCOUNTS,
MADRAS,

To

The Secretary to Government,

Public Works Department.
Madras, 22nd December 1883.

Sir,

With reference to your official memorandum No. 2364 C dated the 30th. November 1883, I have the honor to state that there is nothing definite on the records of this Office to show whether the omission to grade Mr. Laughlan was intentional on the part of the Examiner or due to an oversight.

2. Attention is respectfully drawn to the remarks of this Office as contained in the statement, which accompanied this Office letter to Government No. 70 W. dated 21st. July 1880.

G.O. 2052 W of 30/8/80.

I have the honor to be,

Sir,

Your Most Obedient Servant.

D. C. Cameron

Examiner P.W. Accounts.

G.P. 22/12

P.W.C. No. 1147

No 2900 W dy 16.7.78
" 3595 W dy 11.9.78
" 2052 W dy 30.8.80
" 1536 W dy 22.1.81
" 142.3 W dy 17.1.82
" 725 W dy 20.3.82
" 29/1689 W dy 5.7.82
" 2701 W dy 17.10.82
" 2780 W dy 25.10.82
" 2364 C dy 30.11.83.

From,

The Examiner P.W. Accounts.

Madras.

To,

The Secretary to Government,

P.W. Department.

No. 167 W.

No. 123 W dy 16-1-84

Dated 22nd December 1883.

Recd. 24 ——

Encs: 4.

Mr Laughlan. Regarding the omission to grade---------as Accountant.

P. W. Department. No. 123 W

Proceedings of the Madras Govt.

Under date the 16th January 1884.

Read the following:—

From Mr. W.A. Laughlin,
late Accountant, Office of the
Examiner P.W. Accounts, Madras

(M.E. Dated Nov. 24th 1883)

From the Ex. P.W. Accounts, Madras (No. 167 W dy Dec. 22nd —)

The Government have again carefully reviewed Mr. Laughlin's case. His contention would seems to be that, had he been graded, prior to his retirement, as an Accountant on the Public Works Estab.t

he would have been entitled to certain concessions, such as an increased rate of pension and a special bounus, under the Reso-lution of the Gut. of India of the 31st July 1879- No. 2079.

The Examiner P.W. Accounts was empowered to grade all clerks in his office who by ~~the~~ general intelligence and ability had, in his opinion, given promise of becoming efficient Accountants. There is nothing on record to show that Major Conway-Gordon, or his

successor Major Traill, who had it in their power to grade Mr. Laughlin, omitted to do so by oversight. In the absence ~~the~~ of evidence to the contrary, the Gut. are bound to assume that Mr. Laughlin was retained in the position of a Clerk for good and sufficient reasons. Should Mr. Laughlin however be in a position to adduce specific testimony by the Examiners under whom he served, that his grading was omitted

buy ourright, and not
buy intention, the
Government will b
prepared to re-open his
case and to lay it
before the Govt of Indi
for reconsideration.

No 123 Wdy 16-1-84

WS
8.1.84

WS
14-1-84

Ltr W. A. Laughlin.
dy
16/1/84

Circ 8/1 R 14/1 Jo 18/1

Circ 9/1 R 14/1 Jo 20/1

Ltr to Supt Kept Legs