

APPENDIX.

Annexure referred to in para. 9 of the Memorial now submitted to His Lordship The Earl of Dufferin, Viceroy and Governor-General of India in Council, dated *7th May* 1886, showing the claims of the Petitioner to be regarded as a *bonâfide* Accountant of the Fourth Grade, duly appointed by Government in their Order, dated 4th April 1876, No. 878, issued for the formation of a separate Accounts' Branch for the Presidency of Madras, which was subsequently incorporated with the General Establishment List of Accountants of the Government of India under the sanction accorded in Government of India letter No. 1196, E. G., dated 30th August 1878.

Extract from Government of India, Order
No. 179, A. E., dated 15th December
1885.

Memorialist's Explanation.

(i). "I may add that the Government of India has referred the matter to Colonel Trail and that Officer is quite satisfied that there was no oversight in retiring Mr. Laughlin (as a Clerk)."

(i). Memorialist respectfully begs leave to submit that the statement made by Colonel Trail, R. E., that Mr. Laughlin was retired *as a Clerk, not by an oversight*, is *not* borne out by the facts of his case, which are briefly :—

(a) That, in compliance with para. 2 of Circular No. 40 of 1876, he accepted the stipulated condition of service as Accountant as he did not choose to be classed as a Clerk, vide his letter, dated 13th June 1876.

(b) That, as required in para. 3 of the said Circular, he *signed* a "Covenant" as a Fourth Grade Accountant on the 25th July 1876, from which date he was regarded as an Accountant and should have been gazetted at once as a Fourth Grade Accountant under the terms of his agreement :—

"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 in 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."

Witnesses.

(Signed) J. T. MADDOX.*

(Signed) W. A. LAUGHLIN,*

(„) A. STRENEVASSOOLOO NAIDOO.*

4th Grade Accountant.

(c) That, his name was included by Colonel L. Conway-Gordon, R. E., Examiner of P. W. Accounts in the List of Accountants (as eligible to be brought on the Graded List), submitted with his letter No. 188 A, dated 26th February 1878, in reference to Government of India letter No. 32 E, dated 10th January 1878, vide the List. (Annexment G.)

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(d) That this proposal for the incorporation of his name in the Graded List of the Accountant General, P. W. D. was approved and sanctioned in Government of India letter No. 531 E, dated, Simla, 12th June 1878, Government being satisfied with the history of Memorialist's Services and the recommendation by Colonel Conway-Gordon, R. E., as to his "*work and conduct being satisfactory*."

(e) That your Memorialist had during the entire term of his service been under the full conviction that he was a *bonafide* Accountant of the Fourth Grade, that with that conviction he elected to retire towards the end of 1879; that he was personally assured by the Offg. Examiner, Major Carey, that there could be no doubt as to his obtaining the concessions proffered in Government of India's Resolution No. 2079, P. W. D., dated 31st July 1879 and that that Officer had even gone the length of withholding Memorialist's letter to Government asserting his claims to *an average pension and bonus of 12 months salary*.

(ii). "Colonel Trail states that Mr. Laughlin's claims to be graded as an Accountant were fully gone into before his pension papers were submitted."

(ii). That your Memorialist's case was not clearly understood nor fully discussed at the time he was pensioned will become apparent from the fact of his having been retired under *Clause 2* of para. 8 of

Government Order, dated 28th January 1880, No. 218 W, which was *erroneously* applied by Colonel Trail, R. E., to his case instead of under the provisions of the FIRST CLAUSE thereof, to which Your Lordship's special attention is very respectfully solicited:—(*Unemployment H.*)

(a) Firstly:—"That all persons who have been regularly and *bonafide* employed "upon the legitimate duties of Accountants, and have conducted those duties "satisfactorily, as shown by the Reports of the Officers concerned, shall be exempted from the "Entrance Examination" required by the Public Works Code, "and shall be eligible (so far as the strength of the Establishment allows) for Appointment as Accountants in the grades corresponding to their Salaries now drawn "by them, &c."

(b) That his case, if carefully considered, should not have been made to come within the pale of either of these *Clauses*: but he should have been treated as a "Graded Accountant" as he had fulfilled all the requirements of a *bonafide* Fourth Grade Accountant as shown in (i) above; and that having all these facts before him and having regard also to Colonel Trail's R. E. report No. 70 W, dated 21st July 1880, contained in G. O, No. 2052 W, dated 30th August 1880, Mr. D. C. Gordon had seen the mistake committed and had therefore impartially observed that he was unable to account for the omission to grade Mr. Laughlin, for which his predecessor (Colonel Trail, R. E.,) was wholly responsible; and that "there was nothing definite on the records of his Office to show that the omission to grade him was intentional or due to an oversight." It was an *omission* however.

(iii). "It is quite clear that Mr. Laughlin never was graded as an Accountant and that it would have been altogether an incorrect procedure to have considered him an Accountant for the purpose of giving him an increased allowance on retirement."

(iii). That the omission to *formally* grade him as an Accountant of the Fourth Grade *before* retirement was an error on the part of the Examiner who was empowered to do so from the 25th July 1876.

(a) Further, that his *gradation* on more than one occasion had also been directed by Government and a reason called for, for his not being graded as will be seen from their Order, dated 14th May 1879, No. 36:—

"Please forward a list of men now employed in the Accounts' Branch who "have been recommended to you for exemption from passing Examinations,

"entrance and other, showing in each case whether the individual named has been "exempted and whether he has been brought on the Graded List, if he has, in "what grade, and if not, the reason why?"

(b) That to have thus carried out the orders of Government to grade him *formally*, would have been a correct procedure and it would have been altogether fair with respect to his admitted qualifications to have granted him an increased allowance as he had equitably earned the *proffered* concessions, his status having been that of an Accountant of the Fourth Grade *long before* his retirement on the 18th March 1880.

(c) That on Memorialist *electing* to retire from the service, his place thus rendered vacant was filled by an Accountant of the Fourth Grade from another Province by transfer to complete the sanctioned *number* of Accountants for service in the Presidency of Madras. (See also Clause 6 of Memorial.)

T. A. Laughlin
7th May 1880.

APPENDIX.

ANNEXMENT A.

PUBLIC WORKS DEPARTMENT.

Proceedings of the Madras Government.

Read the following—

From Mr. W. A. Laughlin, late Accountant, Office of the Examiner P. W. Accounts, Madras, dated 24th November 1883.

From the Examiner, P. W. Accounts, Madras, No. 167 W, dated 22nd December 1883.

Order thereon, No. 123 W, dated 16th January 1884.

The Government have again carefully reviewed Mr. Laughlin's case. His contention seems to be that, had he been graded, prior to retirement, as an Accountant on the Public Works Establishment, he would have been entitled to certain concessions, such as an increased rate of pension and a special bonus, under the Resolution of the Government of India of the 31st July 1879, No. 2070.

The Examiner Public Works Accounts was empowered to grade all clerks in his office who by 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 of evidence to the contrary, the Government 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 by oversight, not by intention, the Government will be prepared to re-open his case and to lay it before the Government of India for re-consideration.

(Tren Extract.)

(Signed) C. BOWEN, Major, R. E.,

Under Secretary to Government,
P. W. D.

To Mr. W. A. LAUGHLIN.

ANNEXMENT B.

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.

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 Examination 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.

(a) Here enter the words 'do not' if not willing to enter the Accounts Branch.

(b) Do. the word 'not' do.

(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. STRENEVASSOOLOO.

W. A. LAUGHLIN,

4th Grade Accountant.

ANNEXMENT C.

To
THE ACCOUNTANT GENERAL,
PUBLIC WORKS DEPARTMENT,

Simla, Calcutta.

No. 188 A of 26th February 1878.

SIR,
Referring to your letter No. 32 E, dated 10th January 1878, I have the honor to forward a list containing the names of those members employed in the Accounts Establishment of this Presidency whom I consider of being brought on the graded list of Accountants without undergoing the prescribed entrance Examination.

2. With one exception the Accountants referred to are drawing salaries ranging from the maximum to the minimum of Accountants, 4th grade.

3. Mr. Maddox who is at present the Chief Accountant of my office is on receipt of a salary of Rs. 275 which brings him within the pale of a second grade Accountantship. I shall be glad therefore to have him graded as such without having to undergo the prescribed Examinations so that there may be no bar to his promotion to a higher grade.

4. I would here mention that Mr. Maddox's conduct has recently been brought favourably to your notice. Vide this office No. 165A, dated 14th January 1878.

I have, &c.,

(Signed.) L. CONWAY-GORDON, Major, R. E.,

Examiner of P. W. Accounts.

ANNEXMENT D.

To
THE EXAMINER OF P. W. ACCOUNTS,

Madras.

No. 531 E of Simla, 12th June 1878.

SIR,

In reply to your letter No. 188 A, of 26th February last, I have the honor to state that I have no objection to your proposal to have Mr. Maddox, Accountant of your office graded as Accountant 2nd grade, without passing the prescribed test, but, I consider that he should pass in Accounts before his promotion to 1st grade.

2. The rest of the men referred to in your letter might be exempted from the test prescribed for admission but from nothing else.

I have, &c.,

(Signed) J. I. McLEOD INNES,

Accountant-General,

P. W. Department.

ANNEXMENT E.

Remarks by Examiner of P. W. Accounts recorded in Memorandum accompanying his letter to Government, No. 70 W, dated 21st July 1880 on claims preferred by Mr. Laughlin in his Memorial to His Grace the Governor of Madras, dated 10th June 1880.

Para. 4. "Although Mr. Laughlin's name was included in the list of employes of this Office who were recommended for exemption from the entrance test of the Accounts Branch, and which recommendation was subsequently acceded to by the Accountant General, Public Works Department, Mr. Laughlin was never graded or regularly brought into the Accountants Establishment of this Presidency, and consequently is not entitled to the concessions of Government of India Resolution, No. 2079, dated 31st July 1879.

This question as a general one has already been fully discussed and final orders of both this Government and the Government of India already passed thereon—vide letter to the Government of India communicated with G. O. No. 323 W, dated 12th February 1880."

Extract from G. O., No. 218 W, dated 28th January 1880, Paras. 7 and 8, containing proposals meet the claims of employes to the "Special Privileges" approved by Government of India, communicated with G. O., No. 323 W, dated 12th February 1880.

7. "A new question was then introduced, it being contended on the one hand, and denied on the other, that the men in question were entitled to the Special Privileges granted by the Government of India Resolution, No. 2079 of the 31st July 1879, to Accountants retiring in consequence of reductions of Establishment.

8. After full consideration of the circumstances the Government of Madras has arrived at the conclusion that the following course will be fair and just to the individuals concerned, as well as to the public interests, and I am directed to request the consent of the Government of India thereto :—

Firstly—That all persons who have been regularly and *bona fide* employed upon the legitimate duties of Accountants, and have conducted those duties satisfactorily: as shown by the reports of the Officers concerned, shall be exempted from the "Entrance Examination" required by the Public Works Code, and shall be eligible (so far as the strength of the Establishment allows) the appointment as Accountants in the grades corresponding to their salaries now drawn by them, subject to their passing the "Divisional Accounts" test, within twelve months, and the subsequent Examination for 2nd grade Accountant in due course before appointment to that grade."

ANNEXMENT F.

MADRAS, 15th 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. Laughlin, Clerk, Asylum Press.

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

MADRAS, February 25th, 1860.

MR. LAUGHLIN,

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, Captain,
21st Regt. M. N. I.

MADRAS, 11th February 1861.

MR. LAUGHLIN,

I am sorry to hear that you are at present out of employ, but trust it may not be for long, your industrious and business-like habits, would I should think, fully prevent such a misfortune.

Yours faithfully,

(Signed) GEORGE TALBOT, Colonel,
Dy. Qr. Mr. General Queen's Troops.

MADRAS, 30th April 1861.

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

I regret this, as Mr. Laughlin 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-Colonel,
Superintendent and Agent for Army Clothing.

COORG, 21st August 1864

MR. LAUGHLIN,

To the best of my knowledge you kept the Accounts well and correctly while I was Supervisor, and you certainly kept them neatly and had them always written up to date.

Yours faithfully,
(Signed) W. H. KERR, Esq.

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

Mr. Laughlin 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.

(Signed) W. H. KERR, c.s.

MERCARA, December 1884.

Mr. W. A. Laughlin 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.

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.

MADRAS, 25th July 1865.

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

(Signed) J. F. FISHER, Captain, R. E.,
Controller of P. W. Accounts.

MADRAS, 17th September 1867.

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

(Signed) P. P. L. O'CONNELL, Lt.-Col., R. E.,
Controller of P. W. Accounts.

MADRAS, 28th May 1868.

I know Mr. W. A. Laughlin to be really a hard-working man.

(Signed) S. BROCK,
Controller of P. W. Accounts.

MADRAS, 1st July 1869.

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 29th January 1873, had been sanctioned before my relief, to have given Mr. Laughlin the audit of one of the small Districts.

(Signed) S. BROCK,
Controller of P. W. Accounts.

MADRAS, April 1873.

Work and conduct satisfactory.

(Signed) L. CONWAY-GORDON, Major, R. E.,
Examiner of P. W. Accounts.

MADRAS, 26th February 1878.

W. A. Laughlin
10th May 1886.

ANNEXMENT G.

"List of Accountants" which accompanied Controller's Letter No. 1884 of 26th February 1878.
History of the Services of the Accountants recommended for exemption from the prescribed Examination.

No.	Names.	Salary corresponding to grade of Accountant.	Age.	Period of Service.	History of Service.	Recommendatory remarks of Controller of P. W. Accounts.	Grade to which subsequently appointed.
1	Mr. J. T. Maddox	275	Second.			Previous Examiners' of P. W. A. have all borne favorable testimony to Mr. Maddox's character and qualifications.	Second.
2	P. Anthemolun Moodly	150	Fourth.			Work and conduct satisfactory.	Third.
3	J. W. Bowie	150	do.			Throughout his service, Mr. Bowie has borne a character for regularity in attendance and strict attention to duties.	do.
4	D. Stephens	150	do.			Mr. Stephens' testimonials shew that he has always given satisfaction in his work and conduct.	do.
5	P. Durnalingum Moodly	150	do.			Has given satisfaction in the several Offices in which he has been employed.	Retired Ungraded.
6	A. Parthasarady Iyengar	150	do.			Has given every satisfaction in the several Offices in which he has been employed. He is thoroughly efficient as an Accountant in every respect.	do. and since deceased.
7	C. Subbarow	110	do.		Vide Service Registers.		Second and Retired.
8	C. A. Hutton	110	do.			Work and conduct satisfactory.	Fourth.
9	W. A. Laughlin	80	do.			Work and conduct satisfactory.	Retired Ungraded
10	A. Srenavassoloo Naidu	80	do.			Work and conduct satisfactory.	do.
11	C. Parthasarady Chetty	80	do.			Work and conduct satisfactory.	Fourth.
12	C. Brunnarajah	80	do.			Judging from testimonials, work and conduct satisfactory.	do.

Have all these men signed the Agreements?

(Signed) L. C. G.

The Agreements have been signed.

W. A. Laughlin
10th May 1886.

Annexment H.

Proceedings of the Madras Government.

PUBLIC WORKS DEPARTMENT.

Read the following :—

ORDER THEREON, No. 218W., DATED, 28TH JANUARY 1880.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

Public Works Department.

SIR,

I am directed to request the sanction of the Government of India to certain measures, hereinafter explained rendered necessary by the Transfer of Accounts' Establishment of this Presidency to the General List of the Government of India to which sanction was given in letter from the Government of India, No. 1196 E. G. dated 30th August 1878, and to submit the following remarks thereon.

2. Previous to the year 1876, there was no separate Accounts' Branch of the Public Works Department in this Presidency, the Accounts of each Division being in charge of a "Head Accountant" appointed under the same rules and by the same authority as ordinary Clerks, with one or two "Assistant Accountants" who were in fact nothing more than Clerks.

3. In their Order No. 878 of the 4th April 1876, the Government of Madras directed that the Head Accountants should be placed under the orders of the Examiner Public Works Accounts, but no other change was made in their position.

4. In 1878, at the suggestion of the Examiner, Public Works Accounts, the Madras Government proposed the absorption of the Provincial Accounts' Establishment of the Government of India, and sanction to this procedure was communicated in Government of India's letter No. 1196 E. G. of 30th August 1878.

5. It then became necessary to consider on what terms the former so-called "Accountants" should be permitted to join the General Establishment. It was contended on the one hand that these men had no claims to any special consideration whatever, that they were in fact mere Clerks, and could only enter the Accounts' Branch on the same terms as persons with no previous connection therewith. On the other hand it was contended that these men were *de facto* and *de jure* Accountants, that they had (in some cases for many years) been performing duties identical with those performed by the regular Accountants of other Provinces, that their competence for those duties was proved by the various Officers concerned, and that they had a claim to employment in the Department without being subjected to examinations after their first entry into the Public Service.

6. Considerable discussion has taken place upon the question thus raised; and before a final decision was arrived at, the necessity arose for considerable reductions in the Establishment of Accounts, as well as of the Executive Branch of the Department.

7. A new question was then introduced, it being contended on the one hand, and denied on the other, that the men in question were entitled to the special privileges granted by the Government of India, Resolution No. 2079, of the 31st July 1879, to Accountants retiring in consequence of reductions of Establishments.

8. After full consideration of the circumstances the Government of Madras has arrived at the conclusion that the following course will be fair and just to the individuals concerned, as well as to the public interests, and I am directed to request the consent of the Government of India thereto :—

Firstly.—That all persons who have been regularly and *bona-fide* employed upon the legitimate duties of Accountants, and have conducted those duties satisfactorily, as shown by the Reports of the Officers concerned, shall be exempted from the "Entrance Examination" required by the Public Works Code, and shall be eligible (so far as the strength of the Establishment allows) the Appointment as Accountants in the grades corresponding to their salaries now drawn by them, subject to their passing the "Divisional Accounts" test, within twelve months, and the subsequent examination for 2nd grade Accountant in due course, before Appointment to that grade.

Secondly.—That men fulfilling the same conditions but for whom there is no room on the reduced Establishment, shall receive a bonus of 3 months' pay, in addition to whatever bonus and pension they are entitled to under ordinary rules, in place of the 12 months' pay granted by the Resolution, No. 2079 of 31st July 1879, and shall be eligible to Appointment hereafter, as vacancies occur, on the conditions laid down in the last para.

9. The exact strength of the future Accounts' Establishment is still unsettled; when a decision has been arrived at upon this question, complete lists of the individuals to whom it is proposed to grant the concessions above detailed, will be submitted to the Government of India; in the meantime I am directed to request sanction to the principle on which these concessions are based.

(Signed) R. H. SANKEY, Colonel, R.E.,

Secretary to Government, P. W. Department.

PUBLIC WORKS DEPARTMENT.

Proceedings of the Madras Government.

Read the following :—

ORDER THEREON, No. 323W., DATED 12TH FEBRUARY 1880.

Telegram.

FROM WORKS,

Calcutta.

TO WORKS,

Madras.

YOUR LETTER 218W. OF 28TH JANUARY.

Proposals approved, but all retirements must take effect before 1st April and all gratuities and capitalized pensions be paid before that date.

Communicated to the Examiner,
Public Works Accounts.

*To the Secretary to the Government of India
11th May 1880*

Original.

To

*His Excellency, The Right Honorable Sir Frederick
Temple Hamilton Temple, Earl of Dufferin, K. P.,
G.C.B., G.C.M.G., P.C., F.R.S., D.C.L., Viceroy and
Governor General of India, Calcutta, Simla.*

Through the Government of Madras.

*The humble Memorial of WILLIAM ALEX-
ANDER LAUGHLIN, late Accountant,
Examiner's Office of Public Works
Accounts, Madras.*

Enclosures. *(1) Four.*

HUMBLY SHEWETH,

1. That your Lordship's Memorialist begs, for the last time, to submit his case for your Lordship's consideration. He ventures to state that he fears his case is not fully understood, and he has therefore collated all the points bearing on it, and now places them as clearly as he can before your Lordship.

2. That your Lordship's Memorialist begs to state that his Petition dated 13th August 1885, was rejected by the Government of India on the grounds that "his claims were fully gone into at the time he was pensioned and that the omission of his name from the graded list of Accountants was not an oversight."

3. That Memorialist, confident that his case is not fully understood, begs respectfully to represent to your Lordship in Council that he desires *specially* to bring to your Lordship's notice the letter addressed to the Government of India embodied in Proceedings Madras Government, No. 218. W., dated 28th January 1880, section 8 (part *one*) of which is clearly applicable to his case. He would beg briefly to point out that he signed the *Covenant* to serve as an Accountant in 1876—the list attached is headed "List of Accountants," and his name is included in that list—Circular No. 40 of 1876, para. 3 rules that, having signed the *Covenant*, he should have *at once* been gazetted as Accountant. The Examiner's letter taking this step is dated 26th February 1878, when your Memorialist should have been a gazetted Accountant for nearly a year and a half, if the Examiner had been more prompt in taking this step—that your Memorialist retired in 1880, fully convinced that he did so as an Accountant seeing that the Accountant General's order No. 531 E., dated Simla, 12th June 1878, acknowledged your Petitioner as an Accountant, and if any other official formality had *not* been gone through prior to his retirement, he attributes this to oversight on the part of the then Examiner, and cannot understand why he, owing to such oversight, should not have been retired as an Accountant, which grade he held ever since he signed the *Covenant*, *viz.*, since the 25th July 1876.

4. That in spite of all these orders, your Memorialist was retired as an ordinary *Clerk* without an iota of any of the concesssions he claimed as an Accountant. Your Memorialist on declaring his intention to retire wished to set at rest the question now laid before your Lordship and had even addressed a letter on the subject to the Madras Government through the head of his office, but he was informed by his Superior Officer that such a procedure was unnecessary as there could be *no doubt* as to his obtaining all the concessions which he, as an Accountant, was entitled to.

5. That Memorialist is not alone in the belief that the nature of his claims as a duly qualified Accountant was imperfectly understood at the time he was pensioned, will also be evident from the report of Mr. D. C. Gordon, Examiner, P. W. Accounts, who, when called upon to state why your petitioner was not graded, replied that he was unable to account for the omission for which his predecessor was responsible, but "there was nothing definite on the records of his office to show that the omission to grade him was intentional or due to an oversight" Your Memorialist begs to observe that he fails to see the force of the great stress laid on the word *graded*. The terms of the Circular (No. 40 of 1876, para. 3,) already referred to seem to be very explicit.—"On signing this (the Covenant) 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*." The letter of Major Conway-Gordon, written 22 months after the Covenant was signed, clearly states that he considered your Memorialist qualified for the 4th grade. *Vide* his letter No. 188 A, dated 26th February 1878. All this, your Memorialist would humbly observe, points to but one conclusion and that is, that the omission to grade him was clearly an oversight on the part of the then Examiner.

6. Another point that strengthens the claim of your humble Memorialist is the fact that on his retirement from the service his place thus rendered vacant was considered fit for an *Accountant* of the Bengal Establishment, Mr. Telfer.

7. Your Memorialist would respectfully beg leave to ask of what use his signing the 'Covenant' was? He was asked to sign it as one who was pronounced efficient by his Examiner; by subscribing to its terms, he surely believed that he was fulfilling the main condition required of an Accountant. That the signing of this Agreement was considered an important matter is evident from the fact that the enquiry is made at the foot of the list:—"Have all these men signed the Agreement?" and then follows the reply "The Agreements have been signed". And what, your Petitioner begs your Lordship to consider, would have induced your Memorialist to sign an Agreement of this nature, if he was to consider himself an ordinary Clerk?—your Petitioner might as well *not* have signed it, as he was retired on the ordinary pension of a Clerk.

8. That your Memorialist humbly begs to be considered entitled to 12 months' pay as a Bonus and an average pension as an *Accountant*.

9. That your Memorialist solicits your Lordship's careful perusal of the Appendix hereto attached, where your Memorialist has endeavoured to reply to the statements of Col. Trail from extracts from reports by Col. Conway-Gordon, and from the Proceedings of the Governments of Madras and of India. These statements will be placed side by side to facilitate perusal.

10 That, finally, your humble Memorialist respectfully begs to state that this is the *tenth* petition he has addressed on his case. That if he did not in his conscience feel that he had fair grounds for doing so he would not have manifested such importunity in addressing a generous Government whom he has served well and faithfully for 18 years nearly having been specially brought to favourable notice. That he has a large family to support, and that his case becomes all the more pitiable when it is known that he has lost the use of both his legs, and that he cannot therefore add to his small pension of 26 Rupees only, to enable him to supply the ordinary wants of nature to 10 souls. That he is put to some expense by submitting these Petitions fully hoping that a benign Government will sympathise with his claims and thus give him the means of making the evening of his life tolerable.

And your Memorialist will, as in duty bound, ever pray.


 Late Accountant, 4th Grade,
 Examiner of Public Works Accounts, Madras.

7th May 1886. } MADRAS.

No. 1342 W.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 29th May 1886

Read the following

Memorial from Mr. W. A. Laughlin, addressed through the Govt. of Madras, to His Excy. the Viceroy

Dated 7th Mar 1886.

All the points brought forward by Mr. Laughlin in his present memorial have already been laid before the Govt. of India, who, after careful consideration, finally rejected his claims in their letter communicated with G.O. No. 21 W dated 5th January 1886.

Mch 3591

Res 12/5/86

In Duplicate

Encl

- B. No 21 W. 5-1-86
- " 2572 W 3-11-85
- " 2648 W. 22-10-79
- " 2150 W. 15-9-83
- " 2152 W. 15-9-83
- ho 292 C. 13-2-83
- B. No 1946 W 9-8-84
- " 123 W 16-1-84
- " 725 W 20-3-82
- " 142 W. 17-1-82
- " 143 W. 17-1-82
- G.O. 2900 W 16-7-78
- " 3598 W. 11-9-78
- B. No 2232 W. 28-8-79
- ho 2252 W 3-9-79
- B. No 2323 W 11-9-79
- " 2324 W 11-9-79
- G.O. 2894 W 15-10-79
- ho 323 W. 12-2-80
- B. No 218 W. 28-1-80
- " 2531 W 12-11-84
- " 1586 W 22-6-81
- Encl. G. No 24
- " 1689 W 15-7-82
- B. No 2701 W 17-10-82
- " 2780 W 25-10-82
- ho 2364 C. 30-11-83
- G.O. No 2052 W. 30-8-80

Res. 4/5

Resubmitted to C. 15-5-86

M

Per Packet Post

Stamped.



TO

COLONEL THE HONORABLE

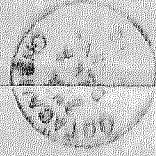
JOHN HERON MAXWELL SHAW-STEWART,

Royal Engineers,

CHIEF ENGINEER AND

SECRETARY TO GOVERNMENT,

PUBLIC WORKS DEPARTMENT.



Magistrate's Order.

1342 W

SW.

Mr Laughlin
has memorialised
G. of I. twice already
and the reply
from India
will be found
in G.O. 21. W. 8
5. 1. 86.

For orders
whether the
present memor-
ial is to be
forwarded or
withheld.

FB

13. 5. 86.

~~Should be withheld~~

~~13/5/86~~

B5

A4

Note

Mr. Laughlin has petitioned ten times and has twice memorialised the Government of India and the reply of the latter is given in G.O. No. 21 W of 5th January 1886. All the circumstances explained in his present petition must have been well known and thoroughly considered when his other petitions were disposed of and he has brought forward no new points in his favor; in these circumstances, it is doubtful if this letter should be forwarded to the Government of India.


14/5/86

B5

A4