

communication recorded in Proceedings
of Government, No. 581, dated 13th February
1866, allowing new rates of pay to Medical
Officers holding Staff appointments and
Specially to Hillah Surgeons -

4. These subsequent decisions
are not strictly in accordance with a strict
construction of the final clause of para 30
of Despatch, dated 7th November 1864, No. 340,
but that para specially refers to the paras
above it, and the 28th secures the new rate
of pay as the minimum salary. Para 30
appears to assume that the aggregate
salaries referred to exceed the new rate
of pay. -

5. The salary of the Medical Officer of
a District is, however, disbursed in the Civil
Department, and it pertains to that Depart-
ment to report on the particular case of
Surgeon Major Duff. -

I have the honor to be,
Sir,
Your Obedient Servant.

Thos. Burns Colonel
Controller of Military Accounts.

MADRAS RECORD OFFICE.

Government of Madras.

Public **DEPARTMENT.**

G.O. No.	829	Press Mis.
Dated	2/11/22	1922.

Not to be folded or roughly handled

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Controller of Military
Accounts with the report of
the Examiners of Claims
(See entry 24 July 1866 No 13)

Order thereon 21st August 1866 No 829.

The Governor in
Council concurs in the opinion
of the Controller of
Military Accounts that Dr.
Duff is entitled to draw the
pay of his rank. The orders
contained in the letter from
the Secretary to the Govt of
India in the Military Dept
under date the 18 January
last recorded in the Proc
of that Dept under date the
13 February 1866 to the effect
that pending the revision

W.D.

Read the following papers:—

No. 117. From the Controller of Military Accounts, to the Secretary to Government, Military Department, Fort Saint George; dated Fort Saint George, 24th July 1866, B.

I have the honor to forward a letter from the Principal Inspector General, Medical Department, dated 11th July 1866, No. 250, with two communications from Dr. Duff, Surgeon of the 3rd District.

2. With reference to the 2nd paragraph of Mr. Shaw's letter, I would remark that it appears to be the intention of the Secretary of State for India that no Medical Officer should draw less than the pay of his rank, whether employed in the Civil or Military Department, and the Government of India, in commenting on the

cases of Drs. Macfarlane and Porteous, appear to refer to this general principle, irrespective of the nature of the employment.

Proceedings of Government, No. 3033, dated 16th August 1865.

3. This is again affirmed in their communication recorded in Proceedings of Government, No. 581, dated 13th February 1866, allowing new rates of pay to Medical Officers holding Staff appointments, and specially to Zillah Surgeons.

4. These subsequent decisions are not strictly in accordance with a strict construction of the final clause of paragraph 30 of Despatch, dated 7th November 1864, No. 340; but that paragraph specially refers to the paragraphs above it, and the 28th secures the new rate of pay as the minimum salary. Paragraph 30 appears to assume that the aggregate salaries referred to exceed the new rate of pay.

5. The salary of the Medical Officer of a District is, however, disbursed in the Civil Department, and it pertains to that Department to report on the particular case of Surgeon Major Duff.

From J. SHAW, Esq., Officiating Principal Inspector General, Medical Department, to the Secretary to Government, Military Department, Fort Saint George; dated Fort Saint George, 11th July 1866, No. 250.

I have the honor to forward two communications from Dr. Duff, Surgeon of the 3rd District.

No. 18, dated 26th June, and No. 20, dated 9th July 1866.

2. Dr. Duff is in error in considering his case as being similar to those of Drs. Macfarlane and Porteous; these gentlemen drew their Military

pay only when they held Military appointments.

Proceedings of Government, Military Department, No. 3033, of 16th August 1865.

From Surgeon Major C. M. DUFF, M. D., Surgeon, 3rd District, to the Deputy Inspector General of Hospitals, Presidency; dated Madras, 26th June 1866, No. 18.

I have the honor to request that you will be kind enough to bring the subject matter of my present communication to the notice of the Local Government, through the usual official channel of correspondence, with the view of obtaining for me the pay of my rank, which, contrary to the last Medical Warrant, the Despatches of the Secretary of State for India, and the Orders of the Supreme Government, has been, without valid grounds, withheld from me since January 1865.

2. As District Surgeon at the Presidency, the consolidated pay of my appointment is Rupees 1000 per mensem.

3. In paragraph 10 of the Despatch of the Secretary of State for India, No. 152, dated the 16th May 1864, the pay of all ranks and grades below those of Inspector General and Deputy In-

of Medical Staff Salaries,
Medical Officers holding
Staff appointments and
in receipt of ^{or half Staff} Staff Salaries
may be allowed the rate
of pay, for the time being,
most advantageous to them,
i.e. Consolidated pay under
the old rules, or pay under
the new provisions, as con-
clusive as to the admissi-
bility of the claim pre-
ferred by Dr Driff. His
Excellency in Council ac-
cordingly directs that the
pay of his rank be paid
to Surgeon Major Driff from
the date on which he at-
tained to that rank.

The reference alluded to
in Art. Donald's Belms
which

which has not been
answered was made
previous to the receipt
of the letter of the Govern-
ment of India of the
10th January.

2. While thus recording his decision in favor of the claim preferred by Surgeon Major Duff, the Governor in Council regrets to have to notice a very objectionable passage in the letter addressed by that officer to the Principal Inspector General, Medical Department, under date the 26th June last, in the 15th para of which Dr. Duff has permitted himself

spector General of Hospitals, was finally fixed, and the pay of my rank, that of a Surgeon Major under 25 years' service, declared to be Rupees 1056-9-7, Rupees 56-9-7 more than I at present receive.

4. By a subsequent Despatch from the Secretary of State for India, No. 340, of the 7th of November 1864, paragraphs 26, 27, and 28 bear directly on the point in question, and finally dispose of it.

5. "Paragraph 27th.—I have now to inform you that it has been determined that, in future, "all employment on the part of Medical Officers of the Indian Service involving the receipt of "special staff salary shall be considered as staff employment, the salaries being in all cases consolidated, and that *all appointments*, whether Civil or Military, held in future by Officers of the "present Indian Medical Service below the rank of Deputy Inspector General will be alike tenable "by Surgeons Major, Surgeons, and Assistant Surgeons,"

6. "Paragraph 28th. [After fixing the salaries of the principal administrative and Military appointments, goes on to say]—"But Officers now in the Indian Service will receive the pay due "to their rank, as laid down in paragraph 10 of my Despatch, No. 152, of 16th May 1864, when "such pay is in excess of the consolidated salaries above mentioned."

7. It is, I believe, contended by the Accountant General (who alone withholds his sanction that District Surgeons should receive the pay of their rank), that as District Surgeons are not specially mentioned, and are not, by a process of reasoning unknown to me, included in "*all appointments*, whether Civil or Military, held in future by Officers in the present Indian Medical Service," he is justified in excluding their claims as above explained.

8. On the embarkation of Garrison Surgeon, Fort Saint George, Surgeon Major Macfarlane, who drew a consolidated salary of Rupees 1000 per mensem, and whose position was similar to that of a District Surgeon at the Presidency, doubts were raised as to the salary to be drawn by the absentee and *locum tenens*.

9. Letter from the Government of India, recorded in Proceedings of Government, Military Department, No. 3033, 16th August 1865, notifies that it has apparently been overlooked by this Government that both Surgeons Major Macfarlane and Porteous are entitled by their standing to the pay of their rank, viz., Rupees 1093-3-0 per mensem.

10. In Order of Government, No. 2310, 20th June 1865, reference was made to the Government of India to ascertain whether Officers in receipt of consolidated salaries, whether in the Civil or Military Department, were to draw the pay of their grade, pending revision of salaries.

11. The reply, in Order of Government, No. 581, 13th February 1866, is to the effect that Medical Officers holding staff appointments, and in receipt of half or full staff salaries, may be allowed, pending revision of salaries, the rates of pay, for the time being, most advantageous to them, and, in like manner, as had been ruled before, Zillah Surgeons had the same option.

12. The last order was communicated to the Examiner of Claims, and the Accountant General applied to Government to know whether he was authorized, without receiving orders on each case, as they might occur, to pass the pay of their rank or grade to Officers holding staff appointments. The answer was in the affirmative, that Medical Officers were entitled to receive either their staff salary or their classified rate of pay.

Order of Government, Public Department, No. 271, 17th March 1866.

13. The Government in the above order could not have referred to any other class of Medical Officers than that of District Surgeons. The claims of Zillah Surgeons had long before this been settled, so long ago as April 1865—vide Proceedings of Government, No. 1431, 19th April 1865; those of Medical Officers in the Military Department, as shown in the preceding remarks.

14. Under what circumstances, therefore, District Surgeons of the rank of Surgeons Major, in its two grades, are restricted to their consolidated salary, less by Rupees 56-9-7 and Rupees 93-2-0, respectively, than the pay of their grades, notwithstanding the Order of the Government of India on the subject, is to me incomprehensible.

15. I am aware that it was suggested that Rupees 1000 should be considered sufficient remuneration for District Surgeons, when a revision of salaries in the Medical Department was

under consideration by the Local Government, on the very extraordinary and untenable ground that they had chances of private practice at the Presidency, but the Government of India very properly over-ruled that idea, by declaring that, without a single exception, every Officer in the Medical Service is entitled to the pay and allowances of his rank, when such pay exceeds the salary of any appointment he may hold.

16. I am aware that this is the view of the case taken by the Pay Department and by Government in the Military and Civil Departments, and it appears to me that refusal to allow my claims is opposed to the direct orders of Government in their last Proceedings, No. 271, 17th March 1866.

17. Before concluding, I beg to draw attention to the very anomalous position in which I find myself placed as matters now rest, and, I can imagine, never contemplated by Government, viz., that were I on sick or private leave, I should, as an idler, draw more pay than I now receive in the active discharge of the duties of a District Surgeon.

18. I have, therefore, again to request that you will have the goodness of refer the matter to Government, in order that retrospective redress may be given, by granting me the balance due on the pay of my rank, from January 1865.

The same request was made by the undersigned, some months ago, and not complied with.

(Signed) H. W. PORTEOUS,
Deputy Inspr. Genl. of Hospitals,
Presidency Division.

From Surgeon Major C. M. DUFF, M. D., Surgeon, 3rd District, to the Deputy Inspector General of Hospitals, Presidency; dated Madras, 9th July 1866, No. 20.

I have the honor to acknowledge the receipt of letter, No. 2764, to your address, from the Secretary to the Principal Inspector General, in reply to my communication of the 26th ultimo, and, with reference thereto, to request that my letter above adverted to may be forwarded for the orders of Government.

2. The grounds on which I submitted my claim to the pay of my rank, as laid down in the Secretary of State's Despatch, No. 152, 16th May 1864, and guaranteed to me in the subsequent Despatch, No. 340, of the 7th November 1864, paragraphs 26, 27, 28, appear to me so clear, that they need no recapitulation.

3. My appeal has, however, been returned to me, with a view to my complying with the provisions of an order no longer in force, and which, under more recent instructions from the Government of India, has virtually become inoperative. A reference to the Proceedings of Government will prove that the Order under which I am now called upon to act, No. 355, 5th April 1865, Public Department, applied solely and purely to cases which had occurred, and questions which had arisen, between the months of August and December 1864, in the three Presidencies, and was communicated to this Government, in reply to letter on the subject, No. 1423, dated 15th December 1864, and, consequently, prior to the receipt

Republished, Madras G. O. G., No. 9, 6th January 1865. of the Secretary of State's Despatch, under which, as I have already stated, the pay of my rank is guaranteed to me.

4. Were it possible to put any doubtful construction upon the meaning of the protective clauses in the latter despatch above adverted to, such doubt was, I would submit, removed by the explanation given in letter from the Government of India, recorded in Proceedings of the Government, No. 3033, 16th August 1865, where it is plainly declared that Surgeons Macfarlane and Porteous are both, by their standing, entitled to the pay of their grade, viz., Rupees 1093-2-0. The validity of the claims of these two Officers, the one Garrison Surgeon, and the other District Surgeon, was thus clearly recognized, no distinction whatever being made in regard to their being in Civil or Military employ. This Order was communicated to the Public Department of the Government; and how, or under what plea, the Accountant General any longer ignores the

to comment in a very
unbecoming and disrespectful
manner on a re-
commendation made by
the Government of this
Presidency. An officer
of Dr Duff's standing
in the service should
have been aware that
such comments were
altogether out of place
in a communication in-
tended for submission
to Government.

desp 278 { To the Principal Secy. Genl. Secy. Dept.
Secy. General.
— Examiner of Claims.
— Controller of Public Accounts.
— Military Department.

*Proceedings of the Madras Government, Public Department,
21st August 1866.*

claim of an Officer to the pay of his rank, apparently in opposition to the instructions conveyed to him in the Order noted in the margin, is to me inexplicable.

5. Under the circumstances now represented, I am, therefore, constrained to request that my letter of the 26th ultimo, together with the present one, may be forwarded for the consideration and orders of Government. A review of the various orders quoted, and the reasons urged in this correspondence, may, I trust, lead the Principal Inspector General to alter his opinion, and to give my appeal his support; should he be unable to do so, while regretting that I should differ from the Head of my Department, I cannot consent to sacrifice to official etiquette a rate of pay which, I consider, has been recognized by the State as my right, and of which, I have been, up to the present date, contrary to the intention of Government, deprived.

(Countersigned) H. W. PORTEOUS,
*Deputy Insp. Genl. of Hospitals,
Presidency Division.*

Transferred to the Public Department.

FORT SAINT GEORGE, (Signed) R. HAMILTON, Colonel,
26th July 1866. *Deputy Secretary to Government, M. T.*

Referred for the report of the Examiner of Claims.

FORT SAINT GEORGE, (Signed) H. LINTON,
27th July 1866. *Acting Under Secretary.*

No. 218.

No. 117 A.

MEMORANDUM.

The undersigned has the honor to state that Dr. Duff's claim is precisely the same as that preferred by Mr. Porteous, the correspondence connected with which was forwarded by this Government to the Government of India, with letter, dated 31st January 1866, No. 102, Public, inquiring whether District Surgeons at the Presidency, of the rank of Surgeon Major, are to draw their consolidated salaries of Rupees 1000, or the pay of their rank under the new Warrant.

2. The Government of India's reply, if any has been received, has not been communicated to this Department.

(Signed) W. DONALD,
Examiner of Claims.

31st July 1866.

To the Chief Secretary to Government, Fort Saint George.

No. 118. ORDER THEREON, 21st August 1866, No. 829.

The Governor in Council concurs in the opinion of the Controller of Military Accounts that Dr. Duff is entitled to draw the pay of his rank. The orders contained in the letter from the Secretary to the Government of India, in the Military Department, under date the 18th January last, recorded in the Proceedings of that Department, under date the 13th February 1866, to the effect that, pending the revision of Medical Staff Salaries, Medical Officers holding Staff Appointments, and in receipt of Staff or half Staff Salaries, may be allowed the rates of pay, for the time being, most advantageous to them, *i. e.*, consolidated pay under the old rules, or pay under the new Warrant, are conclusive as to the admissibility of the claim preferred by Dr. Duff. His Excellency in Council accordingly directs that the pay of his rank be passed to Surgeon Major Duff from the date on which he attained to

*Proceedings of the Madras Government, Public Department,
21st August 1866.*

that rank. The reference alluded to in Mr. Donald's Memorandum, which has not been answered, was made previous to the receipt of the letter of the Government of India of the 18th January.

2. While thus recording his decision in favor of the claim preferred by Surgeon Major Duff, the Governor in Council regrets to have to notice a very objectionable passage in the letter addressed by that Officer to the Principal Inspector General, Medical Department, under date the 26th June last, in the 15th paragraph of which Dr. Duff has permitted himself to comment in a very unbecoming and disrespectful manner on a recommendation made by the Government of this Presidency. An Officer of Dr. Duff's standing in the Service should have been aware that such comments were altogether out of place in a communication intended for submission to Government.

(True Extract).

Secretary to Government.

To the Principal Inspector General, Medical Department.

- „ Accountant General.
- „ Examiner of Claims.
- „ Controller of Military Accounts.
- „ Military Department.

Ed. J. H. Burns.

Article 186 *1* Department.

No. *524*

PROCEEDINGS OF GOVERNMENT.

11/11
Dated *2/1* *1886*.

Press No. 2765, G. M.—14-11-65—600.

117-118

N^o 13.

Madras. 7
26th June, 1868.

From

Surgeon Major G. M. Duff M. D.
Surgeon 3rd District

To

The Deputy Inspector General
of Hospitals.
Presidency.

Sir,

I have the honor to request, that you will be kind enough to bring the subject matter of my present communication to the notice of the Local Government through the usual official channel of correspondence, with the view of obtaining for me the pay of my rank, which, contrary to the last Medical Warrant; the despatches of the Secretary of State for India; and the orders of the Supreme Government has been, without any valid grounds, withheld from me since January 1865.

2. As district surgeon at the Presidency, the consolidated pay of my appointment is Rs. 1000 per Mensem.

3. In para 10 of the despatch of the Secretary of State for India N^o 152, dated the 16th May 1864, the pay of all ranks and grades below those of Inspector General and Deputy Inspector General of Hospitals, was finally fixed, and the pay of my rank, that of a Surgeon Major under 25 years service declared to be Rs. 1056-9-7 - Rs. 56-9-7 - more than I at present receive.

4. By a subsequent despatch from the Secretary of State for India N^o 340 of the 7th of November 1864 paras 26, 27, & 28,

Dear

bear directly on the point in question and finally dispose of it.

5. "Para 27" I have now to inform you "that it has been determined that in future" "all employment on the part of Medical" "Officers of the Indian Service involving" "the receipt of Special Staff Salary shall" "be considered as staff employment; the" "salaries being in all cases consolidated" "and that all appointments whether" "Civil or Military held in future by" "Officers of the present Indian Medical" "Service below the rank of Deputy Ins." "pector General will be alike tenable by" "Surgeons Major; Surgeons, and Assist." "Surgeons."

6. "Para 28" (After fixing the salaries of the principal administrative and Military appointments, goes on to say) "But Officers now in the Indian Service" "will receive the pay due to their rank as" "laid down in para 10 of my despatch" "N^o 153 of 16th May 1864, when such pay" "is in excess of the consolidated salaries" "above mentioned."

7. It is, I believe, contended by the Accountant General (who alone withholds his sanction that District Surgeons should receive the pay of their rank.) that as District Surgeons are not specially mentioned and are not, by a process of reasoning unknown to me, included in "all appointments whether Civil or Military held in future by Officers in the present Indian Medical Service", he is justified in excluding their claims as above explained.

8. On the unbarkation of Garrison.
Surgeon

Surgeon Fort Saint George, Surgeon Major M. Farlane who drew a consolidated salary of Rupees 1000 per mensem, whose position was similar to that of a District Surgeon at the Presidency, doubts were raised, as to the salary to be drawn by the absentee and "Locum tenens".

9. Letter from the Government of India recorded in Proceedings of Government Military Department N^o 3033, 16th August 1865, notifies, that it has apparently been overlooked by this Government, that both Surgeons Majors M. Farlane and Porters are entitled by their standing, to the pay of their rank, viz. Rs. 1000 per mensem.

10. In order of Government N^o 2310 20th June 1865, reference was made to the Gov^t of India to ascertain, whether Officers in receipt of consolidated salaries, whether in the Civil or Military department were to draw the pay of their grade, pending revision of salaries.

11. The reply in order of Government N^o 501 13th February, 1866, is to the effect that Medical Officers holding staff appointments and in receipt of half or full staff salaries, may be allowed, pending revision of salaries, the rates of pay, for the time being, most advantageous to them, and in like manner, as had been ruled before, Zillah Surgeons had the same option.

12. The last order was communicated to the Examiner of claims, and the Accountant General applied to Government to know, whether he was authorized, without receiving orders in each case, as they might occur, to pay the pay of their rank or grade, to Officers holding staff appointments. The answer was

was in the affirmative, that Medical Officers were entitled to receive either their Staff salary or their classified rate of pay. -

Order of Govt. Public Dept. N° 271, 17. March 1866.

13 The Government in the above order could not have referred to any other class of Medical officers than that of District Surgeons. The claims of Zillah Surgeons had long before this been settled, as long ago as April 1865. Vide Proceedings of Govt. N° 1451, 19. April 1865, those of Medical Officers in the Military Department as shown in the preceding remarks. -

14 Under what circumstances therefore District Surgeons of the rank of Surgeon Major, in its two grades, are restricted to their consolidated salary, less by R. 56-9-1 & R. 93-3-0 respectively than the pay of their grades, notwithstanding the order of the Government of India on the subject, is to me incomprehensible. -

15 I am aware that it was suggested that R. 1000 should be considered sufficient remuneration for District Surgeons, when a revision of salaries in the Medical Department was under consideration by the Local Government, on the very extraordinary and untenable ground, that they had chances of Private practice at the Presidency, but the Government of India very properly overruled that idea, by declaring that without a single exception every officer in the Medical Service is entitled to the pay and allowances of his rank, when such pay exceeds the salary of any appointment he may hold.

16 I am aware that this is the view of the case taken by the Pay Department and by Government in the Military and Civil Departments, and it appears to me that refusal to allow my claims is opposed to the direct orders of Government in their last Proceedings N° 271 17. March 1866.

17 Before concluding I beg to draw attention to the very anomalous position in which I find myself placed as matters now rest; and I can imagine, never contemplated by Government, viz. that were I now sick or on private leave, I should, as an Idle draw more pay, than I now receive in the active discharge of the duties of a District Surgeon. -

18 I have therefore again to request, that you will have the goodness to refer the matter to Government, in order that retrospective redress may be given, by granting me the balance due on the pay of my rank, from January 1865.

I have the honor to be
Sir,

Your most Obedient Servant.

James McDuff
Surgeon Major
3rd District

The same request was made by the undersigned some months ago, and not complied with.

J. H. Porteous.

Deputy Inspr.
Genl. of Hospitals,
Presidency Division

Madras,
9th July, 1866.

N^o 20.

From

Surgeon Major G. M. Duff M. D.
Surgeon, 3rd District.

To

The Deputy Inspector General
of Hospitals,
Presidency.

Sir,

I have the honor to acknowledge
the receipt of letter N^o 2764 to your address
from the Secretary to the Principal
Inspector General, in reply to my com-
munication of the 26th ultimo, and with
reference thereto, to request, that my
letter above adverted to, may be forward-
ed for the orders of Government.

2. The grounds on which I sub-
mitted my claim to the pay of my
rank, as laid down in the Secretary's
of states despatch N^o 152, 16th May 1864,
and guaranteed to me in the subse-
quent despatch, N^o 340 of the 7th Nov^r
1864, paras 26, 27, 28: appear to me
so clear, that they need no recapitu-
lation.

3. My appeal has, however,
been returned to me, with a view to my
complying with the provisions of an
order, no longer in force, and which,
under more recent instructions from the
Government of India, has virtually
become

* herewith
returned as
requested.

N^o 2387 1866

24.

Surgeon Major G. M. Duff M. D.

Surgeon, 3rd District.

Dated 26th June,
N^o 2 303

N^o 2 303 43 of 1866

11:18.

Subscribed claim for

pay of Rank from Jan-
uary 1865, with which I am

in on my official

promotions and contrary

to the orders of Govt, and

requesting that his

application may be

forwarded to the

through the nearest

channel of com-
munication.

11:18.

Surgeon Major G. M. Duff M. D.

become inoperative; A reference to the Proceedings of Government will prove, that the order under which I am now called upon to act N^o 355, 5th April 1865, Public Department, applied solely and purely to cases, which, had occurred, and questions, which had arisen, between the months of August, and December 1864, in the three Presidencies, and was communicated to this Government, in reply to letter on the subject N^o 1423, dated 15th December 1864; and consequently, prior to the receipt of the Secretary of States despatch, under which, as I have already stated, the pay of my rank is guaranteed to me.

4 Will it be possible to put any doubtful construction upon the meaning of the protective clause in the latter despatch above adverted to, such doubt was, I would submit, removed by the explanation given in letter from the Government of India, recorded in the Proceedings of the Government, N^o 3033, 16th August 1865, where, it is plainly declared, that Surgeons Macfarlane and Porters, are both, by their standing, entitled to the pay of their grade, viz. P. 1093-2-11. The validity of the claims of these two Officers, the one Garrison Surgeon, and the other District Surgeon, was thus clearly recognized, no distinction or

Public Dept.
P. G. 17th March
1866, N^o 271.

whatever being made in regard to their being in Civil or Military employ. This order was communicated to the Public Department of the Government and how, or under what plea, the Accountant General any longer ignores the claim of an Officer to the pay of his rank, apparently in opposition to the instructions conveyed to him in the order noted in the margin, is to me inexplicable.

5 Under the circumstance now represented I am therefore constrained to request, that my letter of the 26th Ultimo, together with the present one, may be forwarded for the consideration and orders of Government. A review of the various orders quoted, and the reasons urged, in this correspondence may, I trust, lead the Principal Inspector General to alter his opinion, and to give my appeal his support; should he be unable to do so, while regretting that I should differ from the Head of my Department, I cannot consent to sacrifice, to official etiquette, a rank of pay which, I consider, has been recognized by the State as my right, and of which, I have been

up

up to the present date, contrary
to the intention of Government,
deprived. -

I have the honor to be
Sir,

Your Most Obedient Servt.

J. Murray Duffield
Surgeon Major,
3rd Dist. Troop.

H. H. Orleans.

D. V. Insp. Gen. of Hospitals
Presidency Division.

July 1866. Sept
Public No 3524. 21

The Controller of Military Accounts,
Fort St. George,

To
The Secretary to Government,
Military Department.

Dated 24th July 1866.
Received 24th do.
Recd 27th do.

Endorsement.
Toward's letter of
Prin. Sept sent in re
the claim of Dr. Buff.

47
25. 19 April 1865 - No 395-836
" 20 June " " 520-0542
" 16 Augt " " 412-413
" 13 July 1866 " 319-320
" 24 June " " 649-650
" 26 July 12 July 1864

Book

Christened with N^o 3523
To the Public Debt
26 Aug 1866.
Williamson Esq
By Secy H. Galt

216. Aug 1866

11th 1866
Chas. J. M. Duff Esq.
Chas. J. M. Duff Esq.

about 9th July.
1866

No. 3524 B of 3086
1866

Reference to the receipt
of letter 8. 2764, (transmitted re-
ferred) in reply to his com-
munication of the 26. 10. 1866
regarding the pay of his rank,
which, contrary to the in-
struction of his orders have re-
ceived of to the present
date, & request, that his
letter above referred to & the
present one may be pre-
sented for the considera-
tion and action of Govt.
I am, Sir, very respectfully,
Yours, Sir, very respectfully,
Wm. Williamson

No. 250

Through the
Controller of
Military Accounts

OFFICE OF PRINCIPAL INSPECTOR GENERAL, MEDICAL DEPARTMENT,

Fort Saint George, 11th July 1866,

From

The Offg. Principal Inspector General, Medical Department,

Fort Saint George.

To

The Secretary to Government, Military Dept.,

Fort Saint George.

SIR,

N^o 18 dated 26th
June and N^o 20
dated 9th July 1866.

I have the honor to forward two
Communications from Dr. Duff, Surgeon
of the 3rd District.

2. Dr. Duff is in error in considering
his case as being similar to those of
Proceedings of Dr. Macfarlane and Porters; these
Government
Military Department gentlemen draw their military pay
N^o 3053 of 16th
August 1865. only when they held military appoint-
ments.

I have the honor to be,
Sir,

Your most obed^t servant,

Wm Shaw
Inspector General of Hospitals
Offg. Principal Inspector General,
Medical Department,

OFFICE OF CONTROLLER OF MILITARY ACCOUNTS,
Fort Saint George, 24th July 1866.

From
The Controller of Military Accounts,
Fort St. George,
To
The Secretary to Government
Military Department,
Fort St. George.

Sir,

I have the honor to forward a letter from the Principal Inspector General, Medical Department, dated 11th July 1866, No. 250, with two communications from Dr. Duff, Surgeon of the 3^d District.

2. With reference to the 2^d para of Mr. Shaw's letter I would remark that it appears to be the intention of the Secretary of State for India that no Medical Officer should draw less than the pay of his rank, whether employed in the Civil or Military Department, and the Government of India in commenting on the cases of Drs. Macfarlane and Porteous appear to refer to this general principle irrespective of the nature of the employment.

3. This is again affirmed in their communication

Refered for the report of
the Committee of Enquiry

At witness
My hand & seal

For of Mr. 3
27 July 1866
A. J. 218

The undersigned has the honor to state that Dr. Duff's claim is precisely the same as that forwarded by Mr. Porteous, the correspondence connected with which was forwarded by the Government to the Government of India with letter dated 31st January 1866, No. 102. Public, enquiring whether District Surgeons at the Presidency of the rank of Surgeon Major were drawn their commuted salaries of Rs. 1000 or the pay of their rank under the new system.

The Government of India's reply, if any has been received, has not been communicated to this Department.

W. Russell
Comptroller of Military Accounts

31st July 1866
To the Secretary to Government
Military Department
Fort St. George
27 July 1866
27 July 1866
27 July 1866

communication recorded in Proceedings
of Government, No. 581, dated 13th February
1866, allowing new rates of pay to Medical
Officers holding Staff appointments and
Specially to Hillah Surgeons -

4. These subsequent decisions
are not strictly in accordance with a strict
construction of the final clause of para 30
of Despatch, dated 7th November 1864, No. 340,
but that para specially refers to the paras
above it, and the 28th secures the new rate
of pay as the minimum salary. Para 30
appears to assume that the aggregate
salaries referred to ~~exceed the new rate~~
of pay. -

5. The salary of the Medical Officers of
a District is, however, disbursed in the Civil
Department, and it pertains to that Depart-
ment to report on the particular case of
~~Surgeon Major Duff~~

I have the honor to be,
Sir,
Your Obedient Servant.
The Hon^{ble} Colonel
Controller of Military Accounts.