

(1) Number of pages _____

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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	360	Press Mis.
Dated	13-5-	1862

49-50

87

Not to be folded or roughly handled

*Proceedings of the Madras Government, Financial Department,
13th May 1862.*

No. 49. Read the following letter from JOHN MILLER, Esq., Acting Government Solicitor, Madras; to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 10th May 1862, No. 228.

1. I have the honor to forward herewith a copy of a letter I have received from one Walter Vickers requesting me to obtain for him the delivery of a Bank Note for 100 Rupees which is now in the Office of the Clerk of the Crown.

2. This letter was addressed to me under the following circumstances:—

3. At the sitting of the Supreme Court yesterday, Vickers appeared personally before the Court and applied for the Bank Note, and Mr. Norton the Clerk of the Crown intimated that Vickers' statement as to the Bank Note was correct, but that he could not deliver the Note to Vickers without an Order from the Court.

4. The Judges said that they could make no order as to this property, as Vickers had been convicted of a felony, and that consequently all his property had vested in Government. On Vickers' representing the distressed condition in which he was placed, the Judges told him that he had better make an application to Government who probably would under the circumstances give up their right to this property.

5. The Advocate General who was in Court stated that if Vickers made his application to me as Government Solicitor, it should be forwarded by me for the favorable consideration of Government.

6. Upon this Vickers sent me the letter, which I at once laid before the Advocate General.

7. I now forward a copy of the Advocate General's opinion, and I solicit the Orders of Government upon Vickers' application.

From Mr. WALTER VICKERS; to J. MILLER, Esq., Acting Government Solicitor, Madras, dated 9th May 1862.

I beg most respectfully to state that I had been unfortunately convicted of felony and tried and sentenced to seven months' imprisonment with hard labor in the Penitentiary by Sir C. H. Scotland in October last, which term expired on the 8th instant.

At the time I had been convicted, I had a Bank Note for Rupees 100 belonging to me, which Mr. Chester, the Constable, took away from me and lodged it in the Crown Office where it now remains to be disposed of according to the Order of Government.

Since my release from the Penitentiary, I am suffering great privations and misery for the want of means for food and lodging, and as I am a perfect stranger in Madras, I have none to help me; I therefore humbly beg you will be kindly pleased to forward a statement of my unfortunate case and condition to Government, and obtain the Bank Note for 100 Rupees for me, so that I may be enabled to go away to Bombay, as I could not on account of my unfortunate conviction obtain an employment in Madras, for which act of great charity I shall be ever grateful.

(True Copy.)

(Signed) JOHN MILLER,
Acting Government Solicitor.

COPY—OPINION.

I was present when the applicant made his application in Court, and when the Chief Justice informed him that his only course was to apply to Government. He is quite a youth, and the very light sentence passed on him by the Chief Justice shows that he must have considered his offence to have been accompanied by very mitigating circumstances, partaking somewhat of the character of a frolic or lark so far as intention was concerned. It was however in fact a felony (riding off with a horse under the example and persuasion of his older comrade) and his property consequently became forfeited to the Crown, but under all the circumstances of the case, as he is totally destitute, has no likelihood of obtaining employment here, and no other means of removing

Proceedings of the Madras Government, Financial Department,
13th May 1862.

himself where he is more likely to obtain it, I would respectfully recommend the case to Government as a fit one for the exercise of mercy by allowing the money to be given up to the lad.

10th May 1862.

(Signed) T. SYDNEY SMYTH,
Advocate General.

(True Copy.)

(Signed) JOHN MILLER,
Acting Government Solicitor.

No. 50.

ORDER THEREON, 13th May 1862, No. 360.

Under the circumstances represented in the Advocate General's opinion and agreeably to his recommendation, the Government authorize the Clerk of the Crown to deliver to Walter Vickers the Bank Note for 100 Rupees lodged in his Office.

(Signed) A. J. ARBUTHNOT,
Acting Chief Secretary.

Madras, May 9th 1862.
To J. Miller Esq^r
Acting Government Solicitor
Madras.

Sir,
I beg most respectfully to state that I had been unfortunately convicted of felony and tried and sentenced to seven months imprisonment with hard labor in the Penitentiary by Sir C. H. Scotland in October last, which term expired on the 8th Instant.

At the time I had been convicted I had a Bank Note for Rupees 100 belonging to me, which Mr. Chester, the Constable, took away from me and lodged it in the Crown Office where it now remains to be disposed of according to the order of Government.

Since my release from the Penitentiary I am suffering great privations and misery for the want of means for food and lodging, and as I am a perfect stranger in Madras, I have none to help me; I therefore humbly beg you will be kindly pleased to forward a statement of my unfortunate case and condition to Government and obtain the Bank Note for 100 Rupees for me, so that I may be enabled to go away to Bombay, as I could not on account of my unfortunate conviction obtain an employment in Madras,
for

for which act of great charity I shall be
ever grateful.

I beg leave to remain,
Sir,
Your most Obedt. Servt.
Signed Walter Dickers

They leave to remain.

Dear

Y^r most Obedt Serv^t

Signed Walter Vickers

True Copy

John Miller

ack. Gov. L. C.

Copy Opinion.

I was present when the applicant made his application in Court, and when the Chief Justice informed him that his only course was to apply to Government. This quite a youth, and the very slight sentence passed on him by the Chief Justice shows that he must have considered his offence to have been accompanied by very mitigating circumstances, partaking some what of the character of a frolic or lark so far as intention was concerned. It was however in fact a felony (riding off with a Horse under the example and persuasion of his older comrade) and his property consequently became forfeited to the Crown, but under all the circumstances of the case, as he is totally destitute, has no likelihood of obtaining employment here, and no other means of removing himself where he is more likely to obtain it, I would respectfully recommend the case to Government as a fit one for the exercise of mercy by allowing the money to be given up to the lad.

/Signed/ J. Sydney Smith
Ado. General

May 10th, 1862.

/True Copy/
Colonial Secy
actg. Gov. Sol.

1862.

From
Mr. Wm. W. McKim
by Mr. Wm. W. McKim
for Mr. Wm. W. McKim
Chas. W. McKim.

Dated } 9th May
Recd } 9th May

Delivered 19th.

See No. 228.

How
The Act for the
Chas. W. McKim.

To the
The Act for the
Chas. W. McKim.

Dated May 10th, 1862.

Filed 19th May 1862

N^o 228.

Madras, May 10th, 1862.

From John Miller Esq^r
Actg. Government Solicitor Madras
To A. J. Struthers Esq^r
Actg. Chief Secretary to Government
Fort St. George.

Sir,
1. I have the honor to forward herewith a copy of a letter I have received from one Walter Vickers requesting me to obtain for him the delivery of a Bank note for 100 Rupees which is now in the office of the Clerk of the Crown.
2. This letter was addressed to me under the following circumstances.
3. At the sitting of the Supreme Court yesterday Vickers appeared personally before the Court and applied for the Bank Note, and Mr. Norton the Clerk of the Crown intimated that Vickers statement as to the Bank Note was correct, but that he could not deliver the note to Vickers without an order from the Court.
4. The Judges said that they could make no order as to this property, as
Vickers

Re
Walter Vickers' application for the delivery to him of a Bank Note for 100 Rupees which is now in the office of the Clerk of the Crown.

Enclosure N^o 2.

Copy

Advocate General's Office
N^o 228.

From
The Actg. Secy to the
Govt. Madras
To the Actg. Chief Secy to Govt.
Fort St. George
Dated May 10th, 1862.
J. M. 287

Vickers had been convicted of a felony and that consequently all his property had vested in Government. On Vickers representing the distressed condition in which he was placed, the Judges told him that he had better make an application to Government who probably would under the circumstances give up their right to this property.

5. The Advocate General who was in Court stated that if Vickers made his application to me as Government Solicitor it should be forwarded by me for the favorable consideration of Government.

6. Upon this Vickers sent me the letter which I at once laid before the Advocate General.

7. I now forward a copy of the Advocate General's opinion and I solicit the orders of Government upon Vickers' application.

I have the honor to be,

Sir

Your most Obedient Servant
John Miller
Actg. Gov. Solr.

dict of 23 May

49 v50

[illegible]

Dated 10th
 Road by the Way
 of 228.
 2nd Avenue.

Transmit copy of a letter
from one of the District
dated 9th instant & also
a copy of the above
General opinion. The District
application for the delivery
to him of a Warrant is
for 100 Rupees which is
remitted to the Office of the
District Officer and
into the Office of Justice
transmitted.

With an Ode

Order No. 13 May 1861. No 361 -

Under the circumstances
stated represented in the Ad-
vocate General's opinion and
agreeably to his recommendation
the Lord ^{High Chancellor} authorized the
Bankers to deliver to the Bankers in
the City of London for 100 Bankers' notes
in the City of London. ~~The Bankers of the~~
~~Bankers of the City of London~~
have been advised not to
do this.

to the Ag. Genl. Vol. 10. 1866