M.R.O. 1—77,000—8-6-37.

(1) Number of pages 14

(2) Date of repair 26-7-93

(3) Initials of the Reference

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 666	Press Mis.
36-39	
Dated 14-10- 1863	

36-39 7/8

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department,
14th October 1863.

Read the following papers :—

No. 36. From J. T. APPLETON, Esq. ; to the Chief Secretary to the Government of Madras, dated Bombay, 14th September 1863.

In further reference to your letter No. 453, Financial Department, 11th July 1863, I have the honor to enclose copy of a Will left by Ensign Charles Hare (or O'Hehir), 28th Battalion Native Infantry, dated Chuttour, 28th June 1790, and endorsed by Deputy Secretary, East India Office, London, on 13th August 1856.

By which it will appear that the money was devised to Andrew Hare if living ; there is proof that he was alive in 1811 ; the present claimant and next of kin, Matthias Hare, Esquire, L.L D., claims for himself and with consent, for other joint heirs of Andrew, and consequently of Charles Hare who died in 1791.

The correctness of pedigree can be proved.

The claimant's Solicitor, accompanied by Sir M. Barrington, on 23rd July 1857, ascertained at the East India House, London, that Probate of the Will was granted by the Supreme Court of Madras in 1791 to James Daly, one of the Executors, who accounted to that Court and lodged the assets.

Several claimants (not including the present) made title about the year 1842, but the Court refused to order payment of the money, except on strict proof of pedigree. It must, therefore, be still under the control of that Court, for in 1859 it was unofficially ascertained that nothing had been paid to any claimant.

On behalf of the present claimant, I beg to request that the Government of Madras may be pleased to issue such orders as in justice may seem fit, and which may lead to the payment to him of this long dormant claim.

THE COPY OF ENSIGN HARE'S WILL.

Camp at Chuttour, 28th June 1790.

As the service I am now employed on is of such a nature as to render my period of existence uncertain ; to avoid confusion in my little concerns as much as possible, I request of Captain A. Read, my Commanding Officer, to dispose of my effects in Camp, and take upon him the management of what will appear by my papers, &c., I possess, in conjunction with Mr. James Daly of Madras, and in the event of any thing happening to Captain Read, Ensign John Goldsworthy of 28th Battalion, is invested with full powers to act in his room.

I have no debts of any consequence, and whatever is due to me will appear in a marble-covered book in my table drawer, and it is my particular desire that my brother Andrew Hare, now living in America, and to be heard of by writing to him, care of Mr. Thomas Lea, Merchant, Philadelphia, should possess all and every thing belonging to me at my death, excepting 500 Rupees which I direct, in preference, to be given to Mr. John Godfrey, Commander of the Snow "Eleanor."

My friends, who, I hope, will, in remembrance of me, take upon them this trouble, are to observe in case of my brother's death, my effects, as abovementioned, are to be given to Leact Donah V. Herin of the Bengal establishment, who jointly with the abovementioned Godfrey, I leave co-heirs to that and any thing that may appear left to me by my brother, and only on condition that they pay one-fourth part of such property, to my aunt Elizabeth Perry, living in the county of Clare, and Parish of Istand in Ireland.

Witnessed by
JOHN GOLDSWORTHY.

(Signed) CHARLES O'HEHIR,
Ensign, 28th Battalion N. I.

ENDORSEMENT ON THE BACK OF THE WILL.

A Will made at Chuttour, 28th June 1790.

These are to certify to all whom it doth or may concern, that the Court of Directors of the East India Company have received from their Government at Fort Saint George a collection of Wills, &c., proved in the Honorable the Mayor's Court, Madraspatnam, during the year of our Lord

Fort Saint George

one thousand seven hundred and ninety-one, and in which collection is entered copy of the Will of Charles Hehir, deceased, together with a copy of a paper writing annexed thereto, of which the transcripts contained in the whole of the first and second sides of this sheet of paper are true copies, as on examination thereof appears.

In witness whereof I have hereunto set my hand at the East India House in London, this thirtieth day of August, in the year of our Lord one thousand eight hundred and fifty-six.

(Signed) * * * * ,
Deputy Secretary.

(Correct copies of Copies.)

(Signed) J. T. APPLETON.

Referred to the Accountant General for report.

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

14th September 1863.

No. 37. From R. W. LODWICK, Esq., Acting Deputy Auditor and Accountant General to the Government of Madras; to the Chief Secretary to Government, Fort Saint George, dated Madras, the 30th September 1863, No. 39.

Your letter dated 14th September 1863.

States, with reference to the letter from J. T. Appleton, Esquire, dated 14th instant, and its accompaniments* referred to this Office for report on the 24th instant, that in August 1842, the following Government Securities were deposited in the General Treasury on account of the Estate of Ensign Charles O'Hehir, late of the 28th Battalion Native Infantry, by N. B. Acworth, Esquire, as Administrator of the said Estate, viz:—

* Herewith returned.

No. 1,276 of	1832-33,	for	Sicca Rupees	2,100
„ 1,292 of	„	for	„	5,300
„ 10,710 of	„	for	„	2,200
„ 10,717 of	„	for	„	1,600
„ 5,086 of	1825-26,	for	„	3,200
			Sicca Rupees	14,400

Out of the interest realized on the Government Securities belonging to the abovementioned Estate, the following Promissory Notes were obtained, viz:—

No. 3,726 of	1842-43,	for	Co.'s Rupees	600
„ 7,938 of	„	for	„	500
„ 8,499 of	„	for	„	700
„ 6,612 of	1841-42	for	„	500
„ 23,400 of	„	for	„	600
„ 28,413 of	„	for	„	500
„ 32,002 of	„	for	„	700
„ 40,358 of	„	for	„	600
„ 49,562 of	„	for	„	800
„ 51,220 of	„	for	„	500
			Co.'s Rupees	6,000

On an application from W. A. Serle, Esquire, Administrator General, the whole of the Promissory Notes in question, amounting to Rupees 20,400, were delivered over to him on the 29th August 1851, together with an Order for the cash balance amounting to Rupees 253-11-11.

No. 38.

No. 2,658.

OFFICIAL MEMORANDUM.

Estate, Ensign Charles O'Hehir.

The undersigned has the honor to state for the information of the Deputy Secretary

3F

to Government, in reference to his Official Memorandum, dated 3rd instant, that the residue of the estate of the late Ensign Charles O'Hehir of the 28th Battalion Native Infantry, amounting to Rupees 23,035-0-8, was on the 25th September 1858, paid to Messrs. Parry & Co. at Madras, the duly constituted Attornies of Mr. Charles Staunten Cahill of No. 62, Connaught Terrace, Edgware Road, Middlesex, the Executor of the last Will and Testament of Andrew Hare.

The two enclosures are herewith returned as requested.

ADMINISTRATOR GENERAL'S OFFICE,
MADRAS, *8th October* 1863.

(Signed) WHITLEY STOKES,
Administrator General.

To the Deputy Secretary to Government, Fort Saint George.

No. 39. To J. L. APPLETON, Esq., Bombay, dated Fort Saint George, 14th October 1863, No. 666.

I am directed to acknowledge the receipt of your letter, dated the 14th ultimo, and in reply to forward a copy of a Memorandum from the Administrator General, from which it will be seen that the residue of the Estate of the late Ensign Charles O'Hehir of the 28th Battalion Native Infantry, amounting to Rupees 23,035-0-8, was on the 25th September 1858 paid to Messrs. Parry & Co. at Madras, the duly constituted Attornies of Mr. Charles Staunten Cahill, Executor of the last Will and Testament of Andrew Hare.

Dated 8th October 1863, No. 4,071.

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

Exd. T. O'Connor.

Fort Saint George

Administrator General's Office
Madras 8th October 1863.

Official Memo.

Estate Ensign Charles O'Hehir.

The undersigned has the honour to state for the information of the Deputy Secretary to Government in reference to his Official Memo. dated 3rd instant that the residue of the estate of the late Ensign Charles O'Hehir of the 28th Battalion Native Infantry, amounting to Rupees 23,035-4-8, was, on the 25th September 1858, paid to Messrs Parry and Co. at Madras, the duly constituted attornies of Mr. Charles Staunton Cahill of No. 62 Connaught Terrace, Edgware Road, Middlesex, the Executor of the last Will and testament of Andrew Hare.

The two enclosures are herewith returned as requested.

Whitley Stokes
Administrator General

To

The Deputy Secretary to Government
Fort Saint George

WJ
Oct/6/63

Bombay 14 Sept.r 1863

75

To

The Chief Secretary
To The Government of Madras

Sir

In further reference to your letter
№ 453 Financial Department 11 July 1863
I have the honor to enclose copy of will left
by Ensign Charles Hare (or C Heler) 25 Batt.
N.I. dated Chattoor 28th June 1790 and endorsed
by Deputy Secretary East India Office London
on 13 August 1856

By which it will appear that the
money was devised to Andrew Hare if living
there is proof that he was alive in 1811 the
present claimant and next of Kin
Matthias Hare Esqre I L D claims for
himself and with consent, for other joint
heir of Andrew and Consequently of
Charles Hare who died in 1791 —

The Correctness of pedigree can be
proved —

The claimants Solicitor accompanied
by Sir. M. Barrington on 23rd July 1857 as-
certained at the East India House London
that probate of the will was granted by the
Supreme Court of Madras in 1791 to James
Daly one of the Executors, who accounted to
that Court & Lodged the assets —

Several claimants (not including
the present) made title about the year
1842 but the Court refused to order pay-
ment

Fin.l 1873 Dep.t to

Finl 6/10/63

Survey Elec.n

From
The Administrator
General &c &c &c

Bpt
Rec.d
Ack.

№ 690

Matter in reference
to a claim from the Survey
that the residue of the Estate
of the late Ensign C Hare
of Bengal N.I. amounting to the £3335.4
was, on the 25th Feb.y 58 Bank
the Attorney Gen.l &c. &c. claiming
the Executors of the C.S. Calcutta
the Country of the Estate of
Andrew Hare.

56

of the money except on strict proof of pedigree
It must therefore be still under the control
of that Court for in 1859 it was unofficially
ascertained that nothing had been paid
to any claimant —

On behalf of the present claimant
I beg to request that the Government of Madras
may be pleased to issue such orders as in justice
may seem fit and which may lead to the
payment to him of this long dormant
Claim

I have the honor to be
Sir
Your most obedt Servt
J. J. Appleton

Lieut Projector

D A & A G. Office
Recd 28 Sep 9 1863
Annd —

From Lt J. J. Appleton
690-/63
Commdg

Lt 116 Regt N.I.
Fort St George
14th Oct 1863.

Forwards Applns
with endorsements of
Lt Projector the Executor
Charles Saunders Esqre
late of Fort St George
deceased on 28th June 1799 and requests
that the Executor may
be informed that no
Government claim
exists

Referred

dupo. 19

665
690
89

Financial Dept

No 666

9f

Recd Oct 16/63

High Court DEPARTMENT. No. 39.

FROM

THE DEPUTY AUDITOR AND ACCOUNTANT GENERAL

TO THE GOVERNMENT OF MADRAS.

To

THE Chief Secretary to Government,

Fort Saint George.

dated Madras the 30th September, 1863.

Your letter No. dated 14th September, 1863.

Sir,

With reference to the letter from J. J. Appleton Esquire, dated the 14th instant, and its accompaniments referred to this Office for report on the 24th instant, that on August 1844, the following Government Securities were deposited in the Treasury on account of the Estate of Ensign Charles O'Hehir, late of the 28th Battalion Native Infantry, by N. B. Haworth Esquire, as Administrator of the said Estate, viz.

*Name illegible

By Asst. & Asst. General

No

Charles Saunders Esqre
late Executor of the last Will &
Testament of Andrew Hare
Fort St George
14th Oct 1863

of the money except on strict proof of pedigree
It must therefore be still under the control
of that Court for in 1859 it was unofficially
ascertained that nothing had been paid
to any claimant

No. 1276 of 1832/33, for Sa Rupees 2,100
" 1292 of — " — for — " — 5,300
" 10710 of — " — for — " — 2,200
" 10717 of — " — for — " — 1,600
" 5086 of 1825/26, for — " — 3,200
Sicca Rupees 14,400

Out of the Interest realized on the Government Securities belonging to the above mentioned Estate, the following Promissory Notes were obtained, Viz.t

No. 3726 of 1842/43, for Cos Rupees 600
" 7938 of — " — for — " — 500
" 8499 of — " — for — " — 700
" 6612 of 1841/42, for — " — 500
" 23400 of — " — for — " — 600
" 28413 of — " — for — " — 500
" 32002 of — " — for — " — 700
" 40358 of — " — for — " — 600
" 49562 of — " — for — " — 800
" 51220 of — " — for — " — 500
Cos Rupees 6000

On an application from W.A. Forbes Esquire, Administrator General, the whole of the Promissory Notes in question, amounting to Rupees 20,400, were delivered over to him on the 29th August 1851, together with an Order for the Cash balance amounting to Rupees 253. 11. 11.

Richardson
Ag. Actt. Genl., High Court

Compd. W. Laird

Referred

To Registrar
Documents of
Solicitors
Charges
Ld. Clerk
Request on
Claimants
Claim Rs 2,23
Petition

Copy Order

Dispd. 19

645
889

Financial Dept

No 666

duly constituted Attornies
of Mr Charles Staunton Babell
the Executor of the last Will &
Testament of Andrew Hare

Fort St. George
14th Octr. 1853

of the money except on strict proof of pedigree
It must therefore be still under the control
of that Court for in 1859 it was unoffic
ascertained that nothing had been pa
to any claim

dispo. 19

(665
689
89)

Financial Depth

No 666.

F. L. Appleton Esqre.
Bombay.

Sir,

I am directed to acknow-
ledge the receipt of your
letter dated the 14th Ultimo,
& in reply to forward
a copy of a Memorandum
from the Administrators
General, from which it
will be seen that the
residue of the Estate of the
late Ensign Charles O'Neill
of the 28th Battalion Natives
Infantry, amounting to
Rs. 23,035-,-8 was on the
25th Sept. '58 paid to Messrs
Parry Nephews at Madras, the
duly constituted Attorneys
of Mr Charles Saunders Saville
the Executor of the last Will &
Testament of Andrew Ward

Dated 8th Octr 63 No 4071

Fort St George
14th Octr 1863

No 666

Dated 8th Octr 1863

Rec'd 16th Octr 1863

Financial Dept

To
Capt. Curtis
Offg Secy Govt
Bombay

Sir,

I am directed to forward
for the information of the
Hon'ble the Governor in Council
a copy of a Letter from the
Administrator General
dated the 8th Instant No 4071
with the accompaniments noted
in the margin, and to request
that you will move the
Hon'ble the Governor in Council
to direct that the sum of
Rs 23,035-,-8 be paid to
Messrs Parry Nephews at Madras
the duly constituted Attorneys
of Mr Charles Saunders Saville
the Executor of the last Will &
Testament of Andrew Ward

I have &c.

Sub Secy

Comptr. W. Laird

Ag. Accts Genl, Mgh Court

Bombay

Ft St George
16th Octr 1863

Referred

Financial 1863 Depart

№ 666

To

J. J. Appleton Esqr
Bombay

Dn 14th October 1863

36 c 39