M.R.O. 1—77,006—8-6-37.

(1) Number of pages _____

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No.	536	Press / ~~Mis.~~
30-34.		
Dated	20—11—	1865.

30-34 11/12

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department,
20th November 1865.

Read the following papers:—

No. 30. From Mrs. H. McKERTICH, Widow of the late A. J. McKERTICH, to the Chief Secretary to Government, Fort Saint George; dated Madras, 17th August 1865.

I beg most respectfully to bring the following to your kind and liberal notice, and trust you will be pleased to lay the same before Government for their consideration.

2. My late husband, Mr. A. J. McKertich, in consequence of some error in the accounts when a Book-keeper in the Office of Messrs. Binny & Co., was tried and transported for life. All that he did possess at the time (about the year 1851) was a bank book of 500 Rupees, a small house at Royapooram, and some furniture. The house and furniture was sold for the maintenance of myself and three children, the Bank book was unfortunately mislaid somewhere.

3. In 1853, I made application for the restoration of the money to me, in reply to which I received the enclosed letter, dated 29th August 1853, from Mr. C. A. Johnston, then Actuary of the Government Savings' Bank, in which he states that the money was transferred to the General Treasury, to be kept in deposit until claimed by the Crown or by Messrs. Binny & Co. Neither of those authorities have claimed any portion of my husband's property.

4. I applied last month to the present Secretary and Treasurer of the Government Savings' Bank, for the recovery of the money, and he informed me that as the money was transferred to the General Treasury, I should apply to the Chief Secretary to Government for the same.

5. As I am now left a widow, my husband having died at Mergui, on the 18th April 1865, and am in very distressed circumstances, I most respectfully beg that you will lay this application before Government, that the amount, with interest, may be returned to me, for which act of charity I shall feel very thankful.

MADRAS, *29th August* 1853.

MY DEAR MADAM,

I have received your letter, dated the 2nd June last, respecting the money in the Savings' Bank to the credit of Mr. McKertich. I beg to state that a reference was made to the Directors of the Institution regarding it, and they have decided that the amount should be paid into the General Treasury, there to be kept in deposit until legally claimed either by the Crown or by Messrs. Binny & Co. I regret, therefore, that I am unable to assist you in any way in this matter.

I remain, &c.,
(Signed) C. A. JOHNSTON.

To Mrs. H. McKertich.

No. 31. From Mrs. H. McKERTICH, Widow of the late A. J. McKERTICH, to the Chief Secretary to Government, Fort Saint George; dated Madras, 7th September 1865.

On the 17th of last month, I ventured to address you a letter on the subject of a sum of about Rupees five hundred, lodged by my late husband in the Government Savings' Bank, and subsequently (as per letter from Mr. C. A. Johnston enclosed in my last) transferred to the General Treasury. As I have not yet been favored with an answer to the above letter, I beg most respectfully to remind you of the same, and to mention, at the same time, that as I am now in very straitened circumstances, it would be but an act of charity if Government would be pleased to order the money in question, with interest, to be passed to me for payment.

2. Begging to be favored at an early date with your reply, I subscribe myself, &c.

Referred to the Government Solicitor, for report.

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

FORT SAINT GEORGE,
16th September 1865.

Proceedings of the Madras Government, Financial Department,
20th November 1865.

No. 32. From the Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 19th October 1865, No. 620.

Referring to the Order of Government noted in the margin, I have the honor to state that, in my opinion, the application of Mrs. Harriett McKertich, alleging herself to be the widow of A. J. McKertich deceased, late a convicted felon, should not be entertained or acceded to, but that she should be again informed that upon her husband's conviction for felony, the deposit in question, together with all other property to which he was entitled, became forfeited to the Crown.

Dated 16th September 1865, and made on letter from Mrs. McKertich to Government of 7th idem.

2. The details of McKertich's crimes, for he was guilty of a series of frauds extending over a lengthened period of time, and involving the loss to his employers, Messrs. Binny & Co., of a considerable amount of money, were at the time thoroughly investigated by myself, as I conducted the prosecution from first to last, and I failed to discover any one extenuating circumstance or the slightest palliation for his offences. His was the case of an old and trusted servant most grossly abusing the confidence placed in his integrity by his employers. He was undeserving, in my opinion, either of mercy or commisseration.

3. I return all the papers which accompanied the order above noted.

No. 400.

No. 33. MEMORANDUM.

With reference to Memorandum, No. 434, dated 14th instant, from the Under Secretary to Government, the undersigned has the honor to inform him that, in consequence of the late A. J. McKertich having been transported, the balance of his deposits in the Government Savings' Bank, amounting to Rupees 544-4-7, was transferred to the late General Treasury on the 12th August 1853. There is therefore no funds at credit of this individual in the Books of this office at the present date.

BANK OF MADRAS,
GOVERNMENT SAVINGS' BANK,
15th November 1865.

(Signed) A. RIACH,
for Secretary and Treasurer.

To the Under Secretary to Government, Public, &c., Departments,
Fort Saint George.

No. 34. ORDER THEREON, 20th November 1865, No. 536.

His Excellency the Governor in Council resolves to submit the foregoing papers for the consideration of the Right Honorable the Secretary of State for India, and to solicit the sanction of Her Majesty's Government for complying with the application of Mrs. McKertich, for the payment to her of the money deposited in the Government Savings' Bank, by her late husband, who was convicted of felony, and whose property has, therefore, been forfeited to the Crown.

(True Extract).

Chief Secretary.

Copy of Order To Mrs. H. McKertich, Barber's Street, Black Town.

Exd. J. H. Burns.

6
3+3

No. 400.

Bank of Madras.
GOVERNMENT SAVINGS BANK.
15th November 1865.

MEMORANDUM.

With reference to Memo. No. 434 dated 14th instant from the Under Secretary to Government the undersigned has the honor to inform him that in consequence of the late A. J. McKertich having been transported, the balance of his deposits in the Government Savings Bank amounting to Rupees 544-4-7 was transferred to the late General Treasury on the 12th August 1853. There is therefore no funds at credit of this individual in the Books of this office at the present date.—

To
The Under Secretary to Government
Public Department
Fort St. George.

A. Riach
Secretary & Treasurer

Madras 29 August 1853.

My dear Madam,

I have received your letter dated the 2d June last, respecting the money in the Savings Bank to the credit of Mr McKintock - I beg to state that a reference was made to the Directors of the Institution regarding it, and they have decided that the amount should be paid into the Govt Treasury, there to be kept in Deposit until legally claimed either by the Crown or by Mrs Binny &c - I regret therefore that I am unable to assist you in any way in this matter -

I remain
My dear Madam
Your truly
C A Johnston

To
Mrs A. McKintock -

Fin: Letter to Govt Dep. Sec. Sept. 1853

Rs 15 15 0
Rs 10 5 0 Govt Dep. Nov 1853

Rs 25 20 0

Rs 586 From the Asst Collr & Treasurer
To Bank Ghuddapah.

No 3562

Madras 31st August 1853

Sir

I have the honor to request that you will be pleased to pay to the Treasurer of the Ghuddapah Branch of the Madras Bank the sum of Rupees Five hundred and eighty six on account of the Deposits of the late Mrs Mary McKintock at the Savings Bank.

I have the honor to be
Sir
Your most obedient Servant
C A Johnston

To
The Secretary to the Board of Directors
Madras Bank

Rs 586

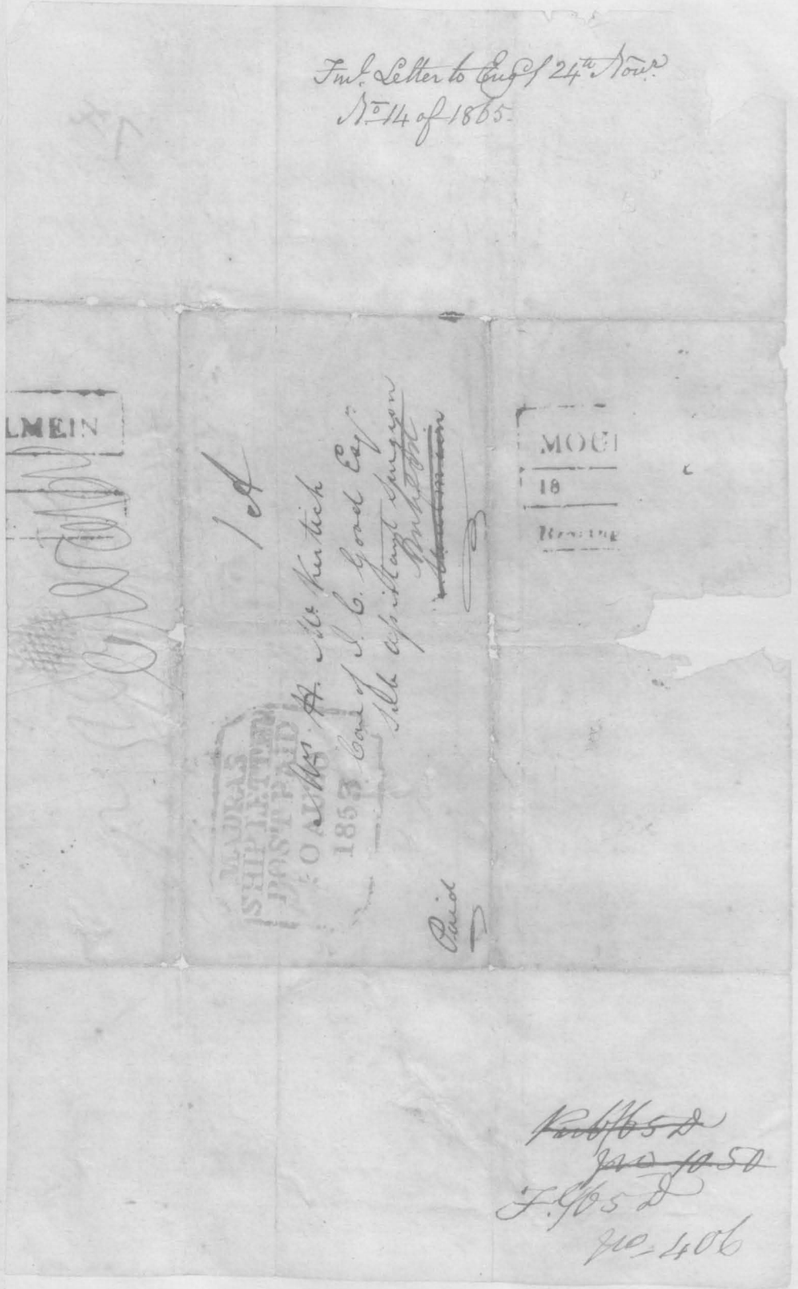
Madras 31st August 1853

Received from the Asst Collr & Treasurer Rupees Five hundred and eighty six on account of the Deposits of the late Mrs Mary McKintock at the Savings Bank.

Rs 586

For the Secretary
Madras Bank

Fwd. Letter to Govt of 24th Nov.
No. 14 of 1865.



To

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Fort St. George

Sir,

I beg most respectfully to bring the following to your kind and liberal notice and trust you will be pleased to lay the same before Government for their consideration

My late husband Mr. A. J. McKenzie who in Consequence of some error in the accounts when a Bookkeeper in the Office of Messrs. Binny & Co. was tried and transported for life all that he did possess at the time (about the Year 1851) was a Bank book of 500 Rs. a small house at Royapooram and some furniture the house and furniture was sold for the maintenance of myself and three children, the Bank book was unfortunately mislaid for many years

In 1853 I made application for the restoration of the money to me in reply to which I received the enclosed letter dated 2nd of August 1853 from Mr. A. Johnston then Actuary of the Government Savings Bank in which he states that the money was transfered to the General Treasury to be kept in deposit until claimed by the owner or by Messrs. Binny & Co. neither of those authorities have claimed any portion of my husbands property

I applied last month to the present Secretary and Treasurer

urer of the Government Savings Bank for the recovery of the money
imprest ~~the~~ that as the money was transfered to the General
ap I should apply to the Chief Secretary to Government for
ance.

As I am now left a widow my husband having died
ber qui on the 18th April 1865, and am in very distressed
stances I most respectfully beg that you will lay this
ation before Government that the amount with interest
be returned to me, for which act of Charity I shall feel
ankful.

I beg to remain
Sir
Your most Obedient Servant
Harriett McKentich.

Barber's Street.
Black Town.

Fin.l Letter to Engd dd 24th Novr No
of 1865

Financial 1865 - Dep.t

From
Mrs H. M.c Kertick
Madras -

Dated 17th
Rec.d 18th August /65.

1 Enclosure
Rs 406

Stamps to retrieve the fact
that her late husband
had in Deposit Rs 500
at the Savings Bank, &
beg that the Amn may be
made over & beg ~~for~~ ~~Rs 105~~
Rs 1050

C 210
L 24 "
L 25 "
A 27 "
C 20 -
A 38 "

30

Madras 7th September 1865.

To
The Honorable A. J. Arbuthnot Esq:
Chief Secretary to Government
Fort St. George.

Honorable Sir,

On the 17th of last month, I ventured to address you a letter on the subject of a Sum of about Rupees Five hundred, lodged by my late husband in the Government Savings Bank, and subsequently (as per letter from Mr. G. A. Johnston enclosed in my last) transferred to the General Treasury. As I have not yet been favored with an answer to the above letter, I beg most respectfully to remind you of the same, and to mention, at the same time, that as I am now in very straitened circumstances, it would be but an act of charity, if Government would be pleased to order the money in question, with interest, to be passed to me for payment.

Begging to be favored at an early date with your reply.

I Subscribe myself
Honorable Sir,
Your most Obedient servant.
Harriett M. Kertich
Widow of the late
A. J. M. Kertich

No 472 Barbers Street
Black Town
Madras.

Financial Department. 17 #

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers

From Mrs A. McKertich — (Dated 17th August & 7th Septr. '65)
From the Govt Solicitor — (— — 19th Octr. '65 — No 620)
Memo from the ~~Secretary to the Board of Revenue~~ Secretary & Treasurer of the Bank — (— — 15th & 7th Novr. — — 400)

Order. 20th November 1865 No 536.

Ho. Gn. the Governor in Council resolves to submit the foregoing papers for the consideration of the Rt. Honble the Secy: of State for India, & to solicit the sanction of Her Majesty's Govt: for complying with the application of Mrs McKertich for the payment to her of the money deposited in the Govt: Savings' Bank by her late husband, who was convicted of felony & whose property has therefore been forfeited to the Crown.

By Order
Mrs A. McKertich
Barber's Street
Black Town

11/22 Sent

Financial Letter to Govt dated 24th Novr. No 714 of 1865.

From
Mrs A. McKertich
Petitioner

Petition for payment of Rs 400 deposited in the Govt Savings' Bank by her late husband.

Referred to the Government Solicitor for report.

(Sd) C. Cuthbert
Clerk of Council.

Fort St George
16th September 1865

No 620

Transmits petition of Mrs A. McKertich praying that the amount of Rs 400 deposited in the Govt Savings' Bank by her late husband, who was convicted of felony & whose property has therefore been forfeited to the Crown, may be paid to her.

Sept 19

From Mrs A. McKertich, dated 17th Augt & 7th Septr 1865

Petitioner states that her husband was convicted of felony & his property forfeited to the Crown. That she has been informed that the sum of Rs 400 deposited by him in the Govt Savings' Bank has been forfeited to the Crown. That she is in great distress & prays that the amount may be paid to her.

To the Government Solicitor - with a request to be favored with his opinion whether the petitioner's claim can be admitted.

Received 18th September & returned 20th October 1865.

(Sd) [illegible]
Govt Solr.

No 536

Refers petition of Mrs A. McKertich praying that the amount of Rs 400 deposited in the Govt Savings' Bank by her late husband, who was convicted of felony & whose property has therefore been forfeited to the Crown, may be paid to her.

Requests to be favored with his opinion whether the petitioner's claim can be admitted.

Fort St George
20th October 1865

To
The Government Solicitor

F21 Gen
A24
C26
R27
e 27
1880

31

Financial Letter to Govt dated 24th Nov.
No 14 of 1865.

Received 4th January 1866.

Read 4th January 1866.

Pro. of Novr
Financial 1865. Department.

No. 536

PROCEEDINGS OF GOVERNMENT.

Dated 25th November 1865.

No 620.

19

Madras October 19th 1865.

From

John Robert Boyson
Government Solicitor - Madras.

To

The Honble A. J. Arbuthnot
Chief Secretary to Government
Madras.

Sir,

Dated 16th September 1865 and made on Letter from Mrs McKertich to Government of 7th idem.

1. Referring to the Order of Government noted in the margin, I have the honor to state that, in my opinion, the application of Mrs Harriett McKertich, alleging herself to be the Widow of R. J. McKertich deceased, late a Convicted Felon should not be entertained or acceded to: but that she should be again informed that upon her Husbands conviction for Felony, the Deposit in question together with all other property to which he was entitled became forfeited to the Crown.

2. The details of McKertich's Crimes, for he was guilty of a Series of frauds extending over a lengthened period of time and involving the loss to his employers, Messrs Binny & Co, of a considerable amount of money, were at the time thoroughly investigated by myself as I conducted the prosecution from first to last and I failed to discover any one extenuating circumstance or the slightest palliation for his offences. His was the case of

an

an old and trusted Servant most grossly abusing the confidence placed in his integrity by his Employers. He was undeserving in my opinion either of mercy or commiseration.-

3. I return all the papers which accompanied the Order above noted.-

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

L. A. Boyton
Govt Solr.

R 432
405

Fin! Letter to Engd dd 24th Novr No 114
of 1865

Financial 1865. Sept

From The Govt Sol, Madras

To The Chief Secy to Govt

Dated 19th } October
Recd 20 }

No 620

14 enclosures. &c &c

No 506

Advises that Mrs McKertich's application for payment to her of the money deposited by her late husband in the Government Savings Bank, should not be complied with.—

For Order

Cancel

If Mrs McKertich's story is a true tale of real distress, I would not keep the money from her, as it is not likely that a woman of her class & in her position can have been cognizant of such malversation in an agents office, as her husband was convicted of. — Upon the other hand, she is not found to be in extreme want, or there is the least appearance of her being now in any degree supported by the proceeds of her husbands fraud, I would reject her petition.

On these points I would ask the Govt of Madras to furnish information & submit a report —

23 Octr 65.

The money is forfeited to the Crown. Can we refund it without the sanction of the Secy of State?

The principle of confiscating a felons property seems to me objectionable as frequently arising

C21 Oct
R 24 "
C 24 "
R 27 "
C 28 "
R 30 "

32

30-34