

(1) Number of pages 20

(2) Date of repair 19-9-37.

(3) Initials of the Referencer CH

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	355	Press
		Min.
Dated	1-8	1862.

3-5

11/12

Not to be folded or roughly handled

*Proceedings of the Madras Government, Financial Department,
1st August 1868.*

Read the following papers :—

No. 3. From Mr. T. G. STEVENS and Mrs. C. E. CALLAGHAN, Black Town, Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 9th June 1868 [Petition No. 1273.]

We have the honor to request that you will be so good as to lay before His Excellency the Governor in Council this our Memorial respecting certain moneys to which we are entitled under the following circumstances, and which we are unable to obtain.

2. David James Deckers, our own maternal grand-father, died about 43 years ago, and his estate was subsequently distributed in the year 1834 amongst Deckers' four children :—

1. Laura Mary Stevens, wife of T. A. Stevens.
2. Ann Elizabeth Deckers.
3. David James Deckers.
4. Mary Ann Deckers.

3. Mr. Cator paid Laura Mary and Ann Elizabeth their respective quarter shares, retaining the shares of David James and Mary Ann.

4. Mary Ann died, and Mr. Cator divided her share amongst the survivors, retaining David James' share, and adding it to his share in his late father's estate.

5. Previously to the distribution by Mr. Cator of the estate of David James Deckers the elder, which took place in 1834, his son David James left Madras, and has not been since heard of, and is presumed to be dead.

6. The parties beneficially interested, excepting ourselves, have all died, as the enclosed certificates B, C, D, E, F, G, H, I, will prove.

7. We applied to the Administrator General of Madras for the payment to us of the sum set apart for D. James Deckers, but he stated that these moneys were, under the provision of Section 50 of Act No. VIII of 1855, transferred by his immediate predecessor, Mr. Teed, to the Government of Madras for the general purposes of Government.

8. Since the receipt of this information, one of us lately called upon the Administrator General of Madras with the necessary proofs, and begged of him to withdraw the amount, but the Administrator General informed the applicant that, under the provisions of the new Administrator General's Act, XXIV of 1867, the Accountant General of Madras was the proper person before whom we should establish our claim.

9. We accordingly submitted to the Accountant General proofs establishing our right to the moneys which lately belonged to David James Deckers, and now in the custody of Government as unclaimed.

10. The proofs comprised the documents B to I and the document A, which is a declaration made by one Pensioned Apothecary Perry, who was at Burmah, and who deposes to the death of David James Deckers.

11. The Accountant General, upon the advice of the Law Officer of Government, replied to our application by stating that "the claim has not been fully and satisfactorily made out, and that no payment would be made, except under an order of the High Court upon a petition presented by us."

12. We are very poor, and therefore unable to meet the expenses attendant on our going before the High Court; moreover, such expenses will absorb the small sum of Rupees 235-8-1, which we are seeking to recover.

13. We, therefore, respectfully solicit that His Excellency in Council will be moved to use in our unfortunate case the high prerogative vested in him by the Crown, by disposing of our appeal summarily after taking into his consideration—

1st.—That the money we seek to obtain is only Rupees 235-8-1.

2nd.—That the same lapsed to Government under a certain Act, and was in the custody of Government for a period of seven years without any claim until now being made thereupon.

*Proceedings of the Madras Government, Financial Department,
1st August 1868.*

3rd.—That, previous to the transfer to Government, the money remained for upwards of 27 years, and without any claim being made.

4th.—That a person not heard of for a period of 14 years is presumed by law to be dead.

Transferred to the Financial Department, for disposal.

FORT SAINT GEORGE,
20th July 1868.

(Signed) C. G. WALKER,
Under Secy. to Govt.

No. 98.

OFFICIAL MEMORANDUM.

No. 4.
Book Department,
General Treasury Branch.

Referring to a Memorandum from the Under Secretary to Government, Petition Department, dated 6th instant, the undersigned has the honor to forward, herewith, a letter, in original, from the Government Solicitor, Madras, No. 168, dated 21st March last, and to request that the same may be returned when no longer required. The three enclosures which accompanied the above Memorandum are herewith returned.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
9th July 1868.

(Signed) F. LUSHINGTON,
Accountant General.

To the Under Secretary to Government, Petition Department.

From the Government Solicitor, Madras, to the Accountant General, Fort Saint George; dated Madras, 21st March 1868, No. 168.

I have the honor herewith to return all the enclosures which accompanied your letter to me dated the 9th March 1868, No. 6624, in which you request me to advise whether Mr. T. G. Stevens and Mrs. C. E. Callaghan have sufficiently established their claim to a sum of Rupees 235-8-1, transferred by the Administrator General to Government in October 1855, on account of the estate of Mr. David James Deckers, deceased.

2. In reply, I have the honor to advise that the claim has not been fully and satisfactorily made out, and that no payment should be made to them or either of them, except under an Order of the High Court upon a petition presented by them or either of them, as provided by the Administrator General's Act.

No. 5. ORDER THEREON, 1st August 1868, No. 355.

The Governor in Council is of opinion that the evidence adduced by the applicants may, without risk, be accepted as sufficient; and, considering that the application for the High Court's Order would probably absorb two-thirds of the small sum in question, he is unwilling to compel the applicants to bear so heavy a charge.

2. The Accountant General is, therefore, authorized to disburse to the applicants, on proper receipts, the amount of the estate standing in his accounts.

3. The letter of the Government Solicitor will be returned to the Accountant General.
(True Extract).

To the Accountant General, with enclosure returned.
To Mr. T. G. Stevens, and Mrs. C. E. Callaghan.

Edw. J. H. Burns.

Chief Secretary.

Cossoor, Money Order Office
24th June 1868.

No. 32.

To,

The Controller,
Money Order Office - Madras.

Sir,

I have the honor to inform you that I have this day applied for leave of absence, for 15 days, on private affairs, on account of the celebration of the marriage of my nephew; the above leave will be availed from the 3rd Proximo, and I, therefore, request that you will be good enough to take immediate steps in order to take temporary charge of the Office of the Money Order Agent at Cossoor for the above period, or until my return to duty.

I beg leave to remain
Sir

Your Most Obedt^l Servant
(Signed) S. Ramachendriah
Dy. Post Master

(True Copy)

Imman

Ag. 1st Asstt. Acctt. General

No 301.

Salem, Collector's Office
20th June 1868.

From,

The Deputy Collector,
In charge of the Treasury - Salem.

To.

The Controller
Money Order Department

Sir,

I have the honor to bring to your notice that, on my calling upon the Money Order Agent, at Usur to execute the requisite Security Bond, he declines, doing so as the appointment was forced upon him. I request your instructions as to whether, I can make any Money advances, that the Agent may require in course of business, or not.

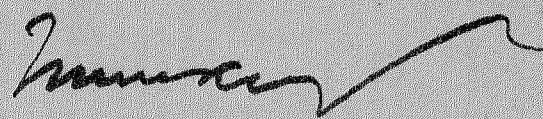
I have the honor to be,

Sir,

Your Most Obedt. Servant

(Signed) J. W. Johnston
Deputy Collector

(True copy)



Ag 1st Affiant. Accountt. General

END

1273
92nd
9/6/60

Madras 9 June 1868.

To
The Chief Secretary to Government
Fort St George
Madras

Sir

We have the honor to request that you
will be so good as to lay before His Excellency the
Governor in Council, this our Memorial respecting
certain matters to which we are entitled under
the following circumstances, and which we are
unable to obtain.

David James Beckers our own maternal
Grandfather died about 1830 or so, and his
Estate was subsequently distributed in the year
1834 amongst Beckers four children

- Viz. I. Laura Mary Stevens Wife of J. C. Stevens
II. Ann Elizabeth Beckers.
III. David James Beckers.
IV. Mary Ann Beckers.

Mr. Cator paid Laura Mary, and Ann Elizabeth
their respective 1/4 shares retaining the share of
David James, and Mary Ann.

Mary Ann died, and Mr. Cator divided
her share amongst the survivors retaining David
James share and adding it to his share in
his late Father's Estate.

Previously to the distribution by Mr. Cator of
the

the Estate of David James Weckers the Elder, which took place in 1834 his son David James left Maoras and has not been since heard of and is presumed to be dead.

The Parties beneficially interested excepting ourselves have all died, as the Enclosed Certificate B. C. D. E. F. G. H. I. will prove.

We applied to the Administrator General of Maoras for the payment to us of the sum set apart for David James Weckers but he stated that these Monies were under the provision of Section 50 of Act No. 8 of 1855 transferred by his immediate predecessor Mr. Teed to the Government of Maoras for the general purposes of Government.

Since the receipt of this information one of us lately called upon the Administrator General of Maoras with the necessary proofs and begged of him to withdraw the amount, but the Administrator General informed the applicant that under the provisions of the new Administrator General Act ~~XXX~~ of 1867 the Accountant General of Maoras was the proper person before whom we should establish our claim.

We accordingly submitted to the Accountant General proofs establishing our right to the monies which lawfully belonged to David James Weckers and were in the custody of Government as unclaimed.

The proofs comprised the documents B to I. and the document A. which is a declaration made by one Pensioned Apothecary Perry who was at Durban and who deposes to the death of David James Weckers.

The Accountant General upon the advice of the Law Officer of Government replied to our application by stating that "the claim has not been fully & satisfactorily made out, and that no payment would be made, except under an order of the High Court upon a petition presented by us."

We are very poor, and therefore unable to meet the expenses attendant on our going before the High Court, more over such expenses will absorb the small sum of R. 235.8.1. which we are seeking to recover.

We therefore respectfully solicit that His Excellency in Council will be moved to use in our unfortunate Case the high prerogative vested in him by the Crown by disposing of our appeal summarily after taking into his consideration.

- 1st That the money we seek to obtain is only R. 235.8.1.
- 2nd That the same lapses to Government under a certain Act and was in the custody of Government for a period of 7 years without any claim, until now being made thereupon.
- 3rd That previous to the transfer to Government the money remained for upwards of 27 years, & without any claim being made.
- 4th That a person not heard of for a period

of 7 years is presumed by law to be dead.

P.S. I live in Venerda-Maistry street door 8213.

Revised Endorsement
on

1270.

Transferred to the Financial Department for disposal.

ordered to be paid
to them.

the claim applied
to the Administrator
General for the pay-
ment of the said share
of estate amounting
to Rs 235-8-1. but
that officer referred
them to the Account-
ant General who
directed them to
produce a certificate
from the High Court
establishing their
right to the said
share. that the Govt. Secy. did not
money - consider the claim fully
satisfactorily made out.
They are very poor &
unable to meet the
expense of the court,
the said sum of Rs
235-8-1 being the
share of estate allot-
ted to David James
Deekers who is pre-
sented by law to
be dead may be 3

^{note}
No 1273 of 1868
From Messrs J. G.
Stevens & Co. Cal-
cuthan residing in
Black Town Madras
Dated
29 June 1868.
9 enclosures.

Represent that the
share of estate al-
lotted to David
James Deekers
out of his father's
estate was trans-
ferred to Govt.
by the Adminis-
trator General for
general purposes
that they as the
grand sons of
David James Deekers

Book Department
General Treasury Branch

No 98

Official Memo:

Referring to a Memo: from the Under
Secretary to Government Petition Department dated
6th Instant the undersigned has the honor to forward
herewith a letter in original from the Government
Solicitor Madras No 168 dated 21st March last and
to request that the same may be returned when no
longer required. The three enclosures which accompany
the above Memo: are herewith returned.

Fort Saint George
Account: Genl: Office
9 July 1868
F. A. A. A.
Accountant General.

To
The Under Secretary to Government
Petition Department.

Camp & A. A. A. A.

2204-5
1877

4.

Transacting the duty
to the from the first volume
Madras, regarding the same
of Mr. J. P. Stevens, & Mr. C.
C. Callaghan in the District
Mr. J. P. Stevens.

1877.

29 July 1877

Mr. J. P. Stevens

1877.
Petition 1868 of 20/11/77

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following ~~letter~~ papers

Letter from Messrs J. P. Stevens
& C. C. Callaghan Madras, New entry of June 1877
Letter from the Accountant General. — 9th July — 1877.

Order thereon: 1 August 1868 No 355.

W.D.V. 6/8

The Government in
Council is of opinion
that the evidence adduced
by the applicants may,
without risk, be accepted
as sufficient; and con-
sidering that the applica-
tion for the High Courts
order would absorb two
thirds of the small sum
which is in question,
he

he is unwilling to compel
the applicants to bear so
heavy a charge.

2. The Accountant
General is therefore au-
thorized to disburse to the
applicants, on proper receipts,
the amount of the estate
standing in his accounts.

3. The letter of the
Government Solicitor will
be returned to the Accountant
General.

MR. M.

deposited { to the Account General with envelopes
- Sent by Storer &
- C. E. Callaghan with draft

envelopes returned

1868, Department

No. 255

PROCEEDINGS OF GOVERNMENT.

Dated 1 August 1868.