M.R.O. 1—77,006—8-6-37.

(1) Number of pages 1-20

(2) Date of repair 22-7-39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 72 Press / Mis.

Bm. 669

Dated 5 2 1869.

6-9 11/11

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department,
5th February 1869.

Read the following papers :—

No. 6. From Mrs. LOUISA LOMBARDI, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 19th December 1868.

I beg most respectfully to request you will be pleased to submit this my application for the favorable consideration of Government, craving their permission to enable me to withdraw from the Government Savings' Bank my self-acquired property, viz., Rupees 1936 (one thousand nine hundred and thirty-six) which I had lodged in that Institution, from time to time, prior to my marriage with Guvanni Lombardi, a foreigner, who has since deserted me, and of whom I have heard no accounts for the last four years. I am now left in a state of destitution, and earnestly pray that my request will be granted.

2. I submit a certificate from the Senior Magistrate of Madras, in verification of my statement.

I hereby certify that the husband of Louisa Lombardi deserted her about four years ago ; that he was house-painter, a foreigner and stranger in Madras ; that to the best of my knowledge and belief he acquired no property whatever.

MADRAS, (Signed) T. G. CLARKE,
14*th December* 1868. *Magistrate of Police.*

Referred to the Accountant General for report, whether the deposits referred to in this letter were made in the Savings' Bank prior to Mrs. Louisa Lombardi's marriage.

FORT SAINT GEORGE, (Signed) C. G. WALKER,
22*nd December* 1868. *Under Secy. to Govt.*

No. 7. From the Accountant General, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Fort Saint George, 8th January 1869, No. 262.

Book Department.

With reference to Mr. Under Secretary Walker's endorsement, dated 22nd ultimo, on Mrs. Louisa Lombardi's letter, (herewith returned,) inquiring whether her deposits in the Government Savings' Bank were made prior to her marriage, I have the honor to forward herewith a letter in original, dated 6th instant, No. 881, with an enclosure, received from the Deputy Secretary and Treasurer of the Bank of Madras answering the above inquiry in the affirmative, and stating at the same time that the Bank has been cautioned by one Mr. Graham against paying her the amount in deposit.

From the Deputy Secretary and Treasurer, Bank of Madras, to the Accountant General, Fort Saint George ; dated Madras, 6th January 1869, No. 881.

In returning the letter of Mrs. L. Lombardi, received with your No. 5405, dated 4th instant, I have the honor to inform you that the amount claimed by her, viz., Rupees 1936, was lodged in her maiden name as Miss Louisa Ross, and the account still continues to be kept in the latter name, in consequence of no application having been received from the depositor to change her name at the time of her marriage. With regard to the question as to whether the deposits were made by Mrs. Lombardi previous to her marriage, I beg to state that the account was opened in March 1859, and the last deposit was made in July 1860 : as I find on inquiry that Mrs. Lombordie was married in May 1862, it is evident that the deposits were made prior to his marriage. I further beg to mention that Mrs. Lombardi applied at the Bank of Madras, a few weeks ago, for the amount in question, but payment was refused as she was unable to produce the usual letter of authority from her husband, which all married females are required to furnish to the Bank, agreeably to the advice of the Government Solicitor.

2. I beg to enclose a letter received by me from one M. Graham, from which you will observe that the Bank is cautioned against paying the amount.

3. M. Graham is not known to the Bank.

(*Private*).

To E. FRANCK, Esq.

Sir,

Mrs. Lombardi wishes to draw some money out of the Savings' Bank. As her husband is alive, and is shortly expected at Madras, this comes to give you warning not to pay her lest the Bank be made responsible. She intends coming up with an affidavit.

Your's obediently,

(Signed) M. GRAHAM.

Referred to the Advocate General for his opinion.

Fort Saint George,
12*th January* 1869.

(Signed) F. BRANDT,
Under Secy. to Govt.

No. 8. From the Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 20th January 1869, No. 33.

I have the honor to acknowledge the order of Government noted in the margin, with its enclosures, requesting Mr. Advocate General's opinion upon Mrs. Louisa Lombardi's application for payment to her, without requiring the consent of her husband, of a certain sum of money deposited by her in her maiden name "Miss Louisa Ross" in the Government Savings' Bank, previous to her marriage with Guvanni Lombardi.

Dated 12th January 1869, and made on letter from Accountant General of Madras to Government of the 8th idem, No. 262.

2. I submitted the matter for the consideration of the Advocate General, and have also conferred with him thereon; and

3. I now forward a copy of his opinion, and return the order and enclosures above noted.

OPINION.

By the marriage of Miss Ross, the depositor, with Mr. Lombardi, her deposit, though not reduced into possession by her husband, has become his property.

2. There is no evidence that he is dead. No presumption against the continuance of life arises until seven years have passed since the time he was last heard of. Here only four years have elapsed since he left his wife; and the Bank is affected with express notice of his probable return at an early date, in Mr. Graham's letter, whatever that is worth.

3. The case is a hard one on the applicant; but the Government cannot, in my opinion, safely pay her over the money.

(Signed) J. B. NORTON,
Advocate General.

20*th January* 1869.

(True Copy).

(Signed) H. J. BROCKMAN,
Government Solicitor.

No. 9. Order thereon, 5th February 1869, No. 72.

Under the opinion of the Advocate General above recorded, the Government regret that they are unable to comply with Mrs. Louisa Lombardi's request to be permitted to withdraw from the Government Savings' Bank, the sum of Rupees 1936 which she had deposited prior to her marriage.

(True Extract).

Chief Secretary.

To Mrs. Louisa Lombardi, with certificate returned.
,, Accountant General, with two original enclosures returned.
,, Secretary and Treasurer, Bank of Madras.
,, Government Solicitor.

Ed. J. Wright.

Madras, 19th Dec.r 1868.

To

The Honorable R. S. Ellis, Esq.r, C.S.I.,
Chief Secretary to Government,
Fort Saint George.

Sir,

I beg most respectfully to request you will be pleased to submit this my application for the favorable consideration of Government, craving their permission to enable me to withdraw from the Government Savings Bank my self acquired property, viz: Rupees 1936 (One thousand nine hundred and thirty-six) which I had lodged in that Institution from time to time prior to my marriage with Giovanni Lombardi, a foreigner, who has since deserted me, and of whom I have heard no accounts for the last four years. I am now left in a state of destitution, and earnestly pray that my request will be granted.

I submit a Certificate from the Senior Magistrate of Madras, in verification of my Statement

I have the honor to be,
Sir,
Your Obedient Servant,
Louisa Lombardi

Purserwal Bum, 3
Tumah Strat, Door No. 33

25.

Govt. of Madras.

FINANCIAL.

To

Mrs. LOUISA LOMBARDI.
&c., &c., &c.

Dated February, 5th.

Read.

Read.

G. O., 5th February 1869, *No.* 72.

FEBRUARY.
Nos. 6—9.

Declining to comply with Mrs. Lombardie's request to be permitted to withdraw from the Government Savings' Bank, the sum of Rupees 1936 which she had deposited prior to her marriage.

Referred to the Accountant General for report whether the deposits referred to in this letter were made in the Savings' Bank prior to Mrs Louisa Lombardie's marriage.

Fort St. George
27 December 1868

A Walker

Rec'd 29 December 1868

Returned 30-12-68

Rec'd 30 Dec 1868

Read

Copy

Rec'd 30 Dec 1868

Read

Copy

Book Department.

No. 262

Fort Saint George,
Accountant General's Office,
8 January 1869.

From The Accountant General,
to the Government of Madras.

To The Chief Secretary
to Government
Fort Saint George

Sir,

With reference to Mr. Under Secretary Walker's endorsement dated 22d ultimo on Mrs Louisa Lombardie's letter, herewith returned, enquiring whether her deposits in the Government Savings' Bank were made prior to her marriage I have the honor to forward herewith a letter in original dated 6th Instant No. 881 with an enclosure, received from the Deputy Secretary and Treasurer of the Bank of Madras answering the above enquiry in the affirmative and stating at the same time that the Bank has been cautioned by one Mr. Graham against paying her the amount in deposit.

* to be returned

I have the honor to be
Sir
Your most obedient servant

F. Duthrie
Accountant General

Comp.d L. & M.
Copied

No. 17.

Referred to the Advocate General for his opinion -

Fort Saint George
12th January 1869

F. Brandt
Under Secretary

To The Government Solicitor -
With Letter No 256.

Rec'd 13th Read 14th Rel'd 20th January 1869.

Public Dept. Jan 1869
Rec'd 1869 Referred
From
Chief Secretary
To The Advocate General
To The Chief Secretary
To Government

Dated 8th January 1869
Rec'd 9th

No 2021
of 1869

J.O. 72.

Dated 8th Jan 1869
Rec'd 9th

Letter from the Government Solicitor
in the Government Advocate's
Department, enquiring
whether Mrs Lombardie
is entitled to the deposit
of Miss Ross.

Referred -

X 9

Opinion

By the marriage of Miss Ross, the depositor, with Mr Lombardi, her deposit, though not reduced into possession by her husband, has become his property.

2. There is no evidence that he is dead. No presumption against the continuance of life arises until seven years have passed since the time he was last heard of. Here only four years have elapsed since he left his wife, and the Bank is affected with express notice of his probable return at an early date, in Mr Graham's letter, whatever that is worth.

3. The Case is a hard one on the Applicant, but the Government cannot, in my opinion, safely pay her over the money.

(Sd) John Bruce Norton
Advt Genl

20th January
1869

(True Copy)

H. H. Brookman
Government Solicitor.

Re

Mrs. Louisa Lombardi's application for payment to her without requiring the consent of her husband, of a certain sum of money deposited by her in her maiden name "Miss Louisa Ross" in the Government Saving's Bank, previous to her marriage with Gunamir Lombardi.

(Copy)
Advocate General's Opinion.

Enclosure
Ltr. Dy. 33 from Govt. to Govt. of 20th Jany 1869.
Rec'd 28th Jany 1869.
Ans. 1st Feby 1869.

A 13

№ 33

Madras, 20th January 1869.

From

H. S. Brockman
Government Solicitor, Madras

To

The Honble R. S. Ellis C.B
Chief Secretary to Government
Madras.

Sir,

1. I have the honor to acknowledge the Order of Government noted in the margin, with its enclosures, requesting Mr's Advocate General's Opinion upon Mrs. Louisa Lombardi's application for payment to her, without requiring the consent of her husband, of a certain sum of money deposited by her in her maiden name "Miss Louisa Ross" in the Government Saving's Bank, previous to her marriage with Gunamir Lombardi.

Dated 12th Jany 1869 and marked Letter from Acctt General of Madras to Govt of the 8th idem et No. 262

2. I submitted the matter for the consideration of the Advocate General and have also conferred with him thereon; and

I

3. I now forward a copy of his Opinion, and return the Order and Enclosures above noted.

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

A. Broadway.

Government Solicitor

Financial Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from

Mrs L. Lombardi Madras. (Rec'd enter 19th Dec: 68)
The Accountant General. (" " 8th Janry: 69 No: 262)
" Govt Solicitor " (" " 20" " No: 33)

Order thereon No 72. 5th Feby 69.

Under the opinion above recorded, the Government regret that they are unable to comply with Mrs Louisa Lombardi's request to be permitted to withdraw from the Government Savings Bank the sum of Rs 1,936 which she had deposited prior to her marriage.

desp 12/2/69

To
Mrs Louisa Lombardi - with Certificate noted
" Acct Genl - with 2 orig enclosures noted
" Secy & Treasr, Bank of Madras.
" Govt Solicitor -

Financial 1869 Dept
From Mrs L. Lombardi
To the Govt Solicitor
Rec'd 20th Jany
Dated 20th
Rec'd 21/3 Carry
No 33
6 Enclosures
No 72
Forwards Copy Application as to Govt's opinion as to Mrs Louisa Lombardi's application for payment to her, without requiring the consent of the Administrator of certain sum of Money deposited by her before her marriage with Captain Lombardi

Govt. of {186} Madras.

Financial

To

Mrs Louisa Lombardi

&c

Dated *Feby. 5* } 186*9*.
Recd.

G. O., 5th Feby. 1869. No. 72.

Nos. *6. 9.*

Declining to comply with Mrs Lombardie's request to be permitted to withdraw from the Govt. Savings Bank the sum of Rs. 1936 which she had deposited prior to her marriage.

C25 Jan 12 72