

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1824

Press

~~Mis.~~

42-43

Dated

12-10-1918

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 13th October 1857.

No. 42. Read the following letter from Mr. JOHN SPENCER, Pensioned Bailiff, Small Cause Court, Madras ; to E. MALTBY, Esq., Acting Chief Secretary to Government, &c., &c., &c., Fort St. George, dated 5th October 1857.

SIR,

I have the honor to send herewith enclosed, a petition, and solicit the favor of your laying the same before the Right Honorable the Governor in Council, and to obtain sanction for my prayer therein contained.

(Signed) JOHN SPENCER.

To the Right Honorable the Governor in Council, &c., &c., &c., Fort St. George.

The humble petition of "John Spencer," a pensioned Bailiff of the Madras Court of Small Causes, residing in Stringer Street, No. 23, of the Black town of Madras.

MOST HUMBLY SHEWETH,

That petitioner had the honor to receive your Honorable Board's Minutes of Consultation, dated the 29th September 1857, No. 1251, on the 3rd Instant, relative to his petition addressed to your Honorable Board, under date the 9th Idem, informing him, "that the conversion of his *Bank Notes* for Rupees 500, into a Promissory Note of the same amount not being the act of Government; and petitioner having received from time to time the interest which thus became due, that your Honorable Board did not feel called upon to take any steps in the matter."

1st. In answer thereto, petitioner begs most respectfully to submit, that as the Act IX of 1850, for the establishment of the "Madras Court of Small Causes," being an *Act* enacted by the Legislative Council of India, and sanctioned by the Governor General of Fort William; and for any wrong done and committed by the Government officers under the said *Act*, the Government alone should be looked upon to afford redress in such matters.

2nd. With reference to the conversion of petitioner's Bank Notes for Rupees 500, into a Government Promissory Note of the same amount; petitioner begs to state, that such a conversion was never sanctioned by him, and if the Accountant General (who is a Government Officer) had taken upon himself, unauthorised, to effect such an exchange, petitioner humbly submits, that that functionary should be called upon by Government, to return to petitioner his 500 Rupees in Bank Notes. Petitioner begs to enclose a true copy of the said Government Promissory Note, which will at once shew, that the same was effected quite unauthorised by petitioner.

3rd. Petitioner further begs to state, that if he had received from time to time the interest on his deposit of 500 Rupees, which he was lawfully entitled to for his money, that that is no reason, he should be shut out of the ends of justice.

Under the foregoing circumstances, petitioner humbly prays, that your Honorable Board will be pleased to order the Accountant General, to recall the Government Promissory Note for Company's Rupees 500, which was issued; and is still standing in the name of that functionary; and to return the 500 Rupees in Bank Notes to the petitioner, same as he deposited in 1850.

For which act of gracious consideration, petitioner as in duty bound,

Shall ever pray,

Madras, 5th October 1857.

(Signed) JOHN SPENCER.

No. 43. ORDER THEREON, No. 1324; dated 12th October 1857.

Mr. Spencer is informed that Government have no further orders to pass upon his Petition.

(Signed) E. MALTBY,
Acting Chief Secretary.

Madras 35%.

Fort William.

Promissory Note.

The 30th June 1854.

Company's

500.

Rupees.

At four per cent.

No. 9726.

Of 1854-55.

Accountant General's Office.

J. S. Halliday

The Governor General of India in Council does hereby acknowledge to have received from the Accountant General Fort Saint George the sum of Company's Rupees Five Hundred as a loan to the Madras Company, and does hereby promise to repay the said loan by paying the said sum of Company's Rupees Five Hundred to the Accountant General Fort Saint George for the time being, or his order and demand at the General Treasury at Fort William, after the expiration of Three Months notice of payment to be given by the Governor General of India in Council in the Calcutta Gazette, and to pay the interest accruing on the said sum of Company's Rupees Five Hundred at the rate of Four per Cent per Annum, by half yearly payments at the General Treasury of Fort William to the said Accountant General Fort Saint George for the time being, or his order until the expiration of Three Months after such notice of payment as aforesaid, when the Amalgam of Interest due will be payable with the Principal and (such notice being considered as equivalent to a tender of payment at the period appointed for the discharge of this Note) all further interest shall cease.

By Order of the Governor General of India in Council.

/s/ Hugh Lushington
Officiating Secretary to the Gov.

29. June 1854.

J. S. L.

E. H. L.

C. K.

Co. J. Adams
Recd. 29. June 1854
29. June 1854
29. June 1854

Madras 15. February 1855. Received in Cash 6
months Interest & due 31. December last
Company's Rupees 10. G. L. Pandeygar &
1. H. S. M. A. C. S. No 373. A. G. G.

Madras 10. July 1855. Received in Cash 2nd half year
Interest & due 31. December Company's Rupees
10. G. L. Pandeygar &
A. G. G.

Madras 16. January 1856. Received in Cash 3rd half year
Interest & due 31. December Company's Rupees
10. G. L. Pandeygar &
A. G. G.

Madras 17. July 1856. Received in Cash 4th half year
Interest & due 30. September Company's Rupees 10.
G. L. Pandeygar &
A. G. G.

Madras 15. January 1857. Received in Cash 5th half year
Interest & due 31. December Company's Rupees 10.
G. L. Pandeygar &
A. G. G.

Madras 18. July 1857. Received in Cash 6th half year
Interest & due 30. September Company's Rupees 10.
G. L. Pandeygar &
A. G. G.

1857. 2. Jan. No 1633

Judicial Department

No 1324

Extract from the Minutes of Consultation
Dated 12. October 1857.

It is resolved that
Govt. have no further orders
to pass upon his petition -

The

M. H. Spencer. Madras. Sept. 17. 1857

C. No. 1251

29/9/57

By the Court 13th Oct.
Judicial 1857 Repth

2nd 1324

Deborah Morris: of Sons

21st 1857/57

42 & 43

C 8 Oct
R10 "