

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>698</i>	Press
<i>20-21</i>	~~Mis~~
Dated <i>18-5-1859.</i>	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
from 18th to 27th May 1859.*

No. 20. Read the following letter from the Auditors of the Accounts of the Administrator General; to T. PYCROFT, Esq., Chief-Secretary to Government, Fort Saint George, dated 27th April 1859.

We have the honor to acknowledge receipt of Extracts from the Minutes of Consultation, Judicial Department, Nos. 188 and 505, respectively dated 11th February, and 13th Instant, and to report, that we called upon Mr. W. A. Serle to furnish us with the Vouchers and information referred to in paras. 9 to 11 of the latter order, and that he has laid before us the following documents.

1st.—Receipt of Mr. W. H. Wicks for £134-10, dated 26th February 1859, being Interest at 5 per cent., from March 1849 to September 1858; on £283-4-4, the moiety of the sum originally remitted to Messrs. Brundrett and Co. in the Estate of Major Hawes, and by them returned to Mr. Serle.

2nd.—Receipt of Messrs. Binny and Co. for Rupees 1,319-3-1, dated 21st November 1853, being one-seventh share of the assets of J. A. Hunter's Estate, originally remitted to Messrs. Brundrett and Co., and by them returned to Mr. Serle.

3rd.—Duplicate of a third Bill of Exchange for £312-3, drawn by Messrs. Binny and Co., in favor of Mr. Serle, on Messrs. Finlay Hodgson and Co., London, at 30 days' sight, dated 11th April 1853; the first and second of which Mr. Serle states he remitted to Messrs. Brundrett and Co., for payment to the parties beneficially interested in the following Estates:—

R. J. M. Elliot.....	£164	10	1
S. Brooke.....	147	12	11

£312 3 0

2. Mr. Serle states he is unable to produce Messrs. Brundrett and Co.'s letter, dated 2nd June 1853, remitting him the sum of £1,516-10-6, for though he has made a most diligent search for the same, he cannot find it; he has, however, been able, by reference to Messrs. Brundrett and Co.'s letter to the present Administrator General, dated 18th August 1855, and to the Books and Vouchers in the latter's Office, to furnish us with a list of the Estates, and the sums respectively belonging thereto, aggregating the above amount of £1,516-10-6, a copy of which we now submit for the information of Government; and in order to make it more clear, we have added to it the equivalent to each item in Indian currency, and the rate of Exchange at which the amount was originally remitted to Messrs. Brundrett and Co., distinguishing the eleven Estates, the balances in which were paid over by Mr. Serle to the Administrator General, on the 19th June 1856, by an asterisk.

3. The several receipts and discharges for the remaining six Estates have been produced to us: they are—

1st.—Chester—the balance of which Estate was paid by Mr. Serle to the Administrator General, on the 11th October last, with Interest at 4 per cent., from 15th September 1851.

2nd.—Hunter—the balance of which Estate was paid to Messrs. Binny and Co., on 21st November 1853, as before mentioned.

3rd.—Hawkins—balance paid to the deceased's brother, Captain W. K. Hawkins, on 27th July 1854.

4th.—Longdill—balance remitted to Mr. S. Clerk for distribution, and by him paid to parties interested, on 23rd February 1854.

5th.—Brooke—balance paid by Messrs. Brundrett and Co., to Mr. Wm. Brooke, on 21st February 1853.

6th.—Elliot—balance paid by Messrs. Brundrett and Co., to Mr. Henry Hart, on 23rd February 1853.

Mr. Serle has thus accounted for the entire sum of £1,516-10-6, returned to him by Messrs. Brundrett and Co., on 2nd June 1853, but there is one point on which he has not been

that remittance, he has never the less

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able to furnish us with a satisfactory explanation, and that is, with regard to the discharges in the two last mentioned Estates, which bear an antecedent date to that of Messrs. Brundrett and Co.'s letter of 2nd June 1853, returning the above amount.

Mr. Serle states, that he wrote to Messrs. Brundrett and Co., in April 1853, directing them to return to him the monies remaining in their hands, aggregating £1,516-10-6, and that by the next Mail from England, he received advices from them, of their having perfected the titles in Brooke and Elliot's Estates, and that he consequently made them a special remittance, by the return Mail, of £312-3, to meet these claims; the duplicate third Bill for which amount, has been produced to us, as already mentioned. On our observing, that this was an unnecessary proceeding, since Brundrett and Co. had already paid the sums in question, from the amount in their hands, and that, consequently, they would, on receipt of his instructions to return the same, have remitted him £1,204-7-6, instead of £1,516-10-6, ~~he could afford no other explanation~~, than that he thought confusion would arise, if he did not replace the difference in Brundrett and Co.'s hands, to enable them to carry out his original instructions, to the very letter, and consequently he made them the special remittance in question.

With reference to para. 2, Extract Minutes of Consultation, dated 11th February last, we have to report, that the Commission levied by the Administrator General, in Chester's Estate, viz., Rupees 29-12-6, was on the accumulation of Interest, Rupees 595-9-6, recovered from Mr. Serle, and that no Commission had previously been charged thereon by the latter.

(Signed) B. CARDOZO,
(") T. E. FRANCK,
*Auditors of the Accounts of the
Administrator General.*

Madras, 20th April 1859.

GENTLEMEN,

I have the honor to acknowledge the receipt of your letter of the 18th Instant, together with the Extract Minutes Consultation, dated the 13th Instant, which accompanied it.

2. With reference to para. 9 of the above Extract, R. Hawes, I beg to annex original Receipt* of Mr. Wicks, and the original letter* of Mr. Cook, respectively marked A, and B, shewing the final disposal of this claim.

3. With reference to para. 10 of the above Extract Minutes Consultation, I have the honor to annex the Receipt of Messrs. Binny and Co., (in duplicate, original in Administrator General's Office) for the sum of Rupees 1,319-3-1 marked C, being one of the Estates remitted back to me in 1853, by Messrs. Brundrett and Co. This Estate can be identified by a reference to the date of the Receipt itself, and to a letter, to which I beg to refer, and now of record in the Administrator General's Office.

4 I beg also to forward a duplicate third of Bills for £312-3, dated April 11th, 1853, R. J. M. Elliot... £164 10 1 marked D, which, on reference to the Administrator General's Books, S. Brooke... £147 12 11 I find composed the Estates R. J. M. Elliot and S. Brooke, and the £312 3 0 Receipts for the same are in the Administrator General's Office.

5. I am unable to produce the letter required, for though I have made a most diligent search for the same, I cannot find it. I am happy, however, to be able to refer you, for the information required by Government, viz., "of what Estates the remittance to me in June 1853, of £1516-10-6 by my Agents, was composed," to a letter now of record in the Administrator General's Office, from my late Agents, Messrs. Brundrett & Co., to the address of the present Administrator General, bearing date 18th August 1855, in which they set out, seriatim the names of all the Estates so remitted to me; and the several discharges and receipts held by the Administrator General shew the complete disposal of these Estates, and their respective sums:—

From a severe illness, which was notorious, when I was originally addressed on this subject, I had not the means and the power of making the references, which, in the present occasion, I

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have had the opportunity of making, and the slight discrepancies of 1,319-3-1, in Hunter's Estate, instead of Rupees 1,300, as stated by me, and of £312 instead of Rupees 3,000, also stated by me, will I trust, under the circumstances, be excused, the more particularly as they refer to the same items.

6. The same observation will apply to the date of the Bill, in my former communication. I then stated, I remitted it in June, whereas it was in April, as appears by the Bill itself.

7. I shall feel obliged by your fixing an early day, for the inspection of the documents referred to, and for the disposal of the matters connected therewith.

8. I beg also to annex a statement, extracted from the letter above referred to, and from the accounts in the Administrator General's Office, marked E, which shows the names of the Estates ~~as remitted to me, and the amount of the same.~~ The disposal of these Estates appears by the Vouchers now held by the Administrator General.

I have &c.,
(Signed) W. A. SERLE.

To B. CARDOZO, and
T. E. FRANCK, Esqrs.,
Government Auditors.

	£.	s.	d.	Exchange.	Ra.	As	P.
Chester...	205	2	9	{ £200 @ 1 11 1/2 } { „ 5 2 9 @ 1 11 1/2 }	2105	11	2
* Wissett...	72	9	10	1 11 1/2	736	7	2
* McIntosh...	13	13	11	2	136	15	8
* Warree...	37	12	11	...	376	7	4
* Busby...	13	16	9	2	136	15	8
* Johnston...	140	0	5	1 8 1/2	1659	8	5
* Meighan...	53	15	3	2	532	1	6
* Cocke...	13	11	1	1 11 1/2	137	11	8
* Nixon...	28	1	4	...	285	2	0
* Kaye...	10	13	11	1 11 1/2	109	3	8
* Chambers...	399	12	3	2	3914	9	8
	988	10	5		10,130	13	11
* Sutler...	6	9	3	1 11	67	6	9
Hunter...	125	0	11 1/2	1 10 1/2	1319	3	1
Hawkins...	76	11	3	2	749	15	11
Longdill...	7	15	7	1 11 1/2	79	14	2
Brooke...	147	12	11	1 11 1/2	1507	14	4
Elliot...	164	10	1	{ £100 @ 1 11 1/2 } { „ 64 10 1 @ 1 11 1/2 }	1026	11	9
	1516	10	5 1/2	Rupees...	15,537	5	0

No. 21. ORDER THEREON, 18th May 1859, No. 698.

The Auditors of the Administrator General's accounts report on the matters referred to them in paras. 9 to 11 of Extract Minutes Consultation, 13th April 1859, No. 505.

2. They state, in reference to para. 9, that Mr. Serle produced Mr. Wicks' Receipt for £134-10, and likewise the Vouchers* for the payment in Hunter's Estate and the remittance to Messrs. Brundrett and Co., referred to in para. 10. As regards the account of the remittance of

£1,516-10-6, they report that although Mr. Serle has not produced Messrs. Brundrett and Co.'s letter, covering that remittance, he has nevertheless been able from Letters and Books in the Administrator General's Office, to furnish a list of the Estates in which the remittances amounted to that figure. The balances of 11 of those Estates had been duly accounted for to the Administrator General, and for the remainder, 6 in number, receipts and discharges were produced.

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Brooke and Elliot.

3. In regard to the discharges of two of these last mentioned Estates, the Auditors remark there is one point on which Mr. Serle has not been able to give a satisfactory explanation. Those discharges bear an antecedent date to that of Messrs. Brundrett and Co.'s letter of 2nd June 1853, returning the remittance of £1,516-10-6. Mr. Serle explained that after requesting Messrs. Brundrett and Co. to return him the monies in their hands, he received advices from them by the next Mail of their having perfected the titles in Brooke's and Elliot's Estates, and he had thereon made a special remittance of £312-3, being that noticed in para. 2 above.

4. Resolved that the Report now submitted be forwarded to the Right Honorable the Secretary of State for India in connection with the previous papers on the same subject, and that it be suggested that a reference be made to Messrs. Brundrett and Co., on the apparent discrepancy in regard to the dates of the discharges in Brooke's and Elliot's Estates, in view to its being ascertained whether Mr. Serle's explanation in regard to those discharges be correct.

5. The Administrator General will be requested to report in reference to Extract Minutes Consultation, 13th April 1859, No. 505, para. 8, what steps he is taking for recovering from Mr. Serle the Interest due on the eleven Estates made over to him.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Judicial Department
Proceedings of the Madras Government.

Read letter from the Auditors of the Accounts of the Administrator General - Enter 27 April 1859 N^o 7.

Order thereon. 10th May 1859 N^o 190.

The Auditors of the Administrator General's Accounts report on the matters referred to them in paras. 9 to 11 of Ex. Mins. Cons. 13 April 1859 N^o 505.

2. They state, in reference to para 9., that Mr. Serle produced Mr. Wickes' receipt for £134.10.. & likewise the vouchers for the payment in Hunter's Estate & the remittance to Messrs. Brundrett & Co., referred to in para 10. As regards the account of the remittance of £1,516.10..6, they report that altho' Mr. Serle has not produced Mr. Brundrett & Co.'s letter, covering that remittance, he has nevertheless the left

atf. Brundrett & Co. receipt for
1319.3.1.
Duplicate of a third
bill of exchange for
£ 612.3. in 1859.15.2

nevertheless been able from letters & books in the Administrator General's Office, to furnish a list of the Estates in which the remittances amounted to that figure. The balances of 11 of those Estates had been duly accounted for to the Administrator General, & for the remainder, 6 in number, receipts & discharges were produced.

3. In regard to the discharges of two of these last-mentioned Estates, the Auditors remark there is one point on which Mr Serle has not been able to give a satisfactory explanation. Those discharges bear an antecedent date to that of Messrs Brundrett & Co's letter of 2^d June 1853 returning the remittance of £1,516.10.6. Mr Serle explained that after requesting Messrs Brundrett & Co to return him the monies in their hands, he received advices from them by the next mail of their having perfected

perfected the titles in Brooks & Elliot's Estates, & he had thereon made a special remittance of £312.3. being that noticed in para 2 above.

4. Resolved that the Report now submitted be forwarded to the ^{Mr Serle} Secretary of State for India in connection with the previous papers on the same subject, & that it be suggested that a reference be made to Messrs Brundrett & Co on the apparent discrepancy in regard to the dates of the discharges in Brooks & Elliot's Estates, in view to its being ascertained whether Mr Serle's explanation in regard to those discharges be correct.

5. The Administrator General will be requested to report what steps he is taking for recovering from

in reference to Ex. Minis.
Cons. 13. April 1853, N^o 505,
para. 8.

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7. B. In the copies sent to the undersigned
Officers Para 5 of the Order was struck off in
ink - & the following note made in the
margin - "Report has been received"

The Govt. Solicitor.
" Auditors of the Accounts
of the Administrator General. } Sept 25th
" Administrator General.

