M.R.O. 1—89,000—16-10-28.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 506 Press ~~Mis~~

100-101

Dated 15-4-1881 ~~19~~ .

4/4

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 15th April 1861.

No. 100. Read the following letter from Major General J. C. COFFIN, Commanding Bellary, to the Military Secretary to Government, Fort Saint George, dated 2nd April 1861, No. 94.

(Estate of the late Hospital Sergeant W. GRICE, Pension Establishment.)

I have the honor to bring to your notice the following case which cries loudly for help.

Pensioned Hospital Sergeant Grice died at this Station on the 16th February 1861, leaving a Will in which he bequeathed the small amount of property he had in possession, valued at Rupees 162, to his widow now residing at this place.

The Witnesses to the Will and the Executors are all on the spot, so that there would be no difficulty in proving it in the Sessions or any other Court.

The Judge appears to think, as one of the Executors has told me, that he has no power to prove the Will in his Court, and that it would be necessary to write to Madras for the purpose.

The Administrator General was written to, but as the Executors were prepared to settle the accounts of the Estate themselves, he would, or could not interfere.

The Executors then wrote to Mr. Branson, Madras, and received a reply from Mr. G. E. Branson, that if Rupees 100 were sent in advance, he would be prepared to take the matter in hand.

You will observe that handing the business over to a Lawyer would swallow up perhaps more than the amount of the Estate, and as the widow is left in very destitute circumstances, I am induced to trouble you in the hope that you will be able to render some assistance in your Official capacity to this poor woman.

It would be a great boon to Military Pensioners if their Estates could be disposed of by the Military authorities, as they (the Pensioners) complain much of the delay and difficulties consequent on the forms of the Civil Courts.

Transferred for consideration in the Judicial Department, with reference to paragraph 4, Section IV, G. O. G., No. 79 of 1851, dated Fort Saint George, 22nd April 1851. Copy of the paragraph in question herewith forwarded for easy reference.

(Signed) H. MARSHALL, Colonel,
Secretary to Government.

FORT SAINT GEORGE,
8th April 1861.

Extract from G. O. G., No. 79 of 1851, *dated Fort Saint George, 22nd April* 1851.

"Section IV, paragraph 4. Estates of Military Pensioners are not taken charge of by the Military Secretary. They are to be left to follow the ordinary course of private Estates, and whenever from the family of the deceased not being present, or from any other cause, it may be necessary for any Military Officer to interfere, immediate reference must be made to the nearest Judicial authority, whose duty it is to take charge."

(True Extract.)

(Signed) H. MARSHALL, Colonel,
Secretary to Government.

No. 101. ORDER THEREON, 15th April 1861, No. 506.

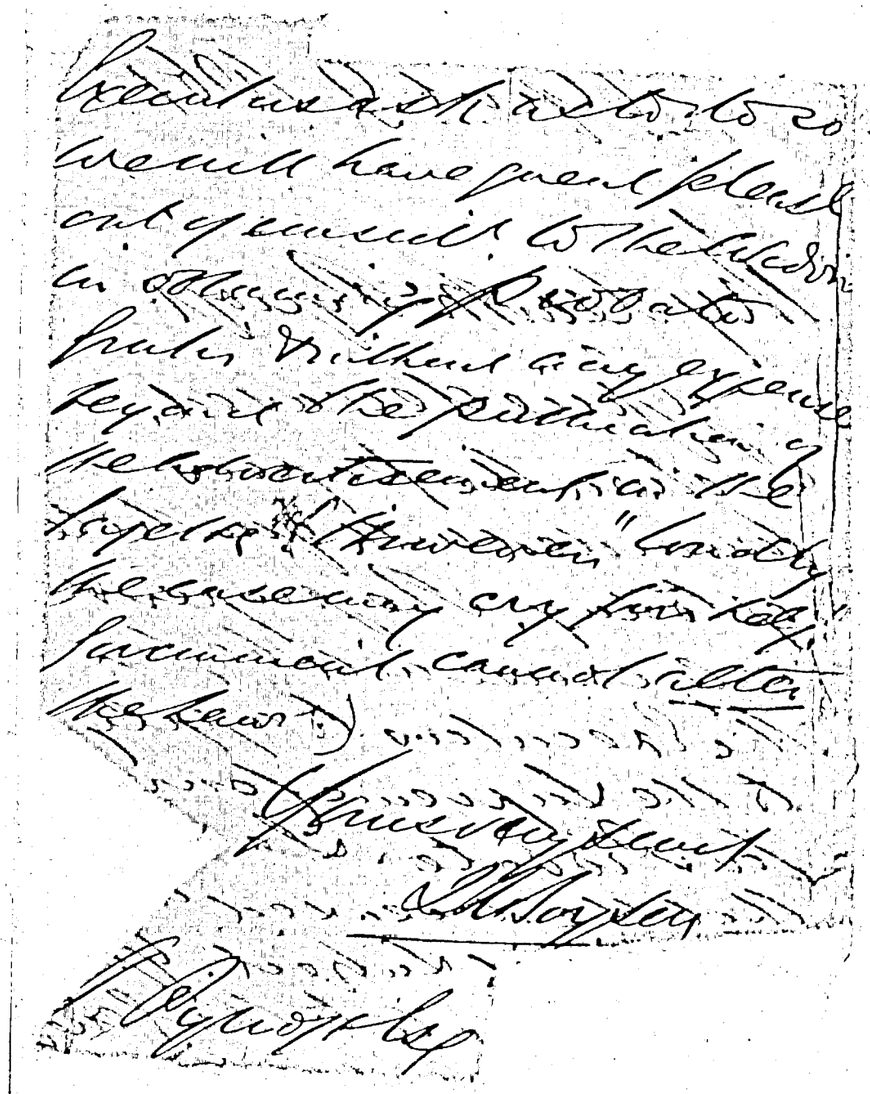
The Government cannot interfere in the case referred to in this letter. They assume that the deceased was a British subject—and if so, Probate of his Will must be taken out in the Supreme Court, in the usual course.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor,

[illegible]

[illegible] Executors to apply
to the Supreme Court in
the Probate Jurisdiction
that the deceased was
a British Subject. You
are entitled to the same
privately but [illegible]



(12)

No. 506 — 15 April 1864

The Govt. cannot interfere in the case referred to in this letter. They assume that the deceased was a British subject — & if so, probate of his Will must be taken out in the Supreme Court in the usual course.

I have &c.
returned and
Maj. Gen. I.C. Coffin. Assistant
Commanding Bellary.