M.R.O. 1—30,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1723 Press Mis.

27-29

Dated 4.11.1863 -19-

4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 4th November 1863.

Read the following papers:—

No. 27. From WHITLEY STOKES, Esq., Administrator General, Madras; to the Chief Secretary to Government, Fort Saint George, dated Madras, 26th October 1863, No. 6,046.

Estate, Mr. G. D'Castellas.

I have the honor to bring to the notice of His Excellency the Right Honorable the Governor in Council, that nine shares in the Capital Stock of the Agra and United Service Bank standing in the name of G. G. K. Richardson, and pledged by Messrs. Ashton Richardson & Co., with the late Mr. G. D'Castellas for their debt to him, were sold by Mr. Thomas Brass as Manager of this office to Messrs. J. G. Coleman and William T. S. Oakes on the 18th January 1861, at which time Mr. Arthur Macdonald Ritchie was the Administrator General of Madras, and as such the Administrator to Mr. D'Castellas' estate, and that the proceeds of such sale, amounting to Rupees 6,750, are not accounted for in the books of this office. I request therefore that you will be so good as to obtain the orders of Government on this subject, so that the steps necessary to compel Mr. Ritchie to adjust this matter may be taken without delay.

I have written to Mr. Ritchie bringing these circumstances to his notice, but he has not hitherto sent me a reply.

A copy of my letter to Mr. Ritchie is enclosed together with the following documents:—

1. A Receipt from Mr. J. G. Coleman and Mr. William T. S. Oakes, dated 18th January 1861.
2. Original letter from Messrs. Oakes & Co., dated 15th September 1863.
3. Do. from Mr. J. G. Coleman, dated 16th do.
4. Do. from the Secretary and Treasurer Bank of Madras, dated 19th September 1863.
5. Do. from the Manager, Agra and United Service Bank, dated 8th October 1863.
6. Extract of the receipt granted by the late Mr. C. M. Teed as Administrator General of Madras to Mrs. L. D'Castellas on the 26th May 1859.

Referred for the opinion of the Advocate General as to the course that should be taken.

FORT SAINT GEORGE,
29th October 1863.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 28. From JOHN ROBERT BOYSON, Esq., Government Solicitor, Madras; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Madras, dated Madras, 30th October 1863, No. 791.

Dated 29th October 1863, and made upon the Administrator General's letter to Government of the 26th idem, No. 6,046.

1. I have the honor to acknowledge the Order of Government noted in the margin, with its enclosures, relative to certain shares in the Capital Stock of the Agra and United Service Bank, mortgaged by Messrs. Ashton Richardson and Company to Mr. D'Castellas, and forming part of the assets of his estate which came to the hands of the Administrator General of Madras as Administrator of such estate and were sold during the period of Mr. Arthur M. Ritchie's acting as Administrator General, but the proceeds whereof were not brought to credit in the books of the Administrator General's Office, or to the credit of Mr. D'Castellas' estate.

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

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

4. I shall defer acting upon the Advocate General's opinion until I am favored with the orders of Government.

COPY—OPINION.

I have perused the papers submitted herewith and inspected the entries in the Administrator General's Books of account bearing upon the subject.

It is clear that the Administrator General for the time being is the party liable for this defalcation.

Proceedings of the Madras Government, Judicial Department,

4th November 1863.

It is clear that there has been a defalcation to the extent of Rupees 6,750 received on account of D'Castellas' estate.

The proper course is that an application should be made to the Administrator General for the time being, Mr. Arthur M. Ritchie, by the Government Solicitor, to make good this sum.

A similar application should be made to Mr. Ritchie's sureties.

In event of the sum not being paid the most advisable course will be to sue Mr. Ritchie's sureties.

(Signed JOHN BRUCE NORTON,
Advocate General.

MADRAS, 29*th October* 1863.

(True Copy:)

(Signed) J. R. BOYSON,
Government Solicitor.

No. 29. ORDER THEREON, 4th November 1863, No. 1,723.

The Governor in Council directs that the Government Solicitor will call upon Mr. Ritchie to make good the sum of Rupees 6,750, the amount of the defalcation referred to in the foregoing letters.

2. Should the money not be paid at once by Mr. Ritchie, the Government Solicitor will call upon Mr. Ritchie's sureties to make good the amount, and in the event of their failing to do so, will institute a suit against them for its recovery.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Rcd. T. McMoorty.

Judicial Department.

Proceedings of the Madras Government

Read the following letters

From the Administrator General. Here Inter 26th Oct/63. 6 Encls.
Govt. Solicitor. Madras 30th 791

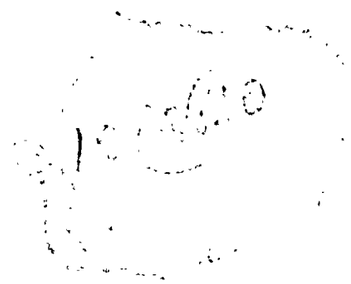
Order thereon 4th November 1863 No. 1723.

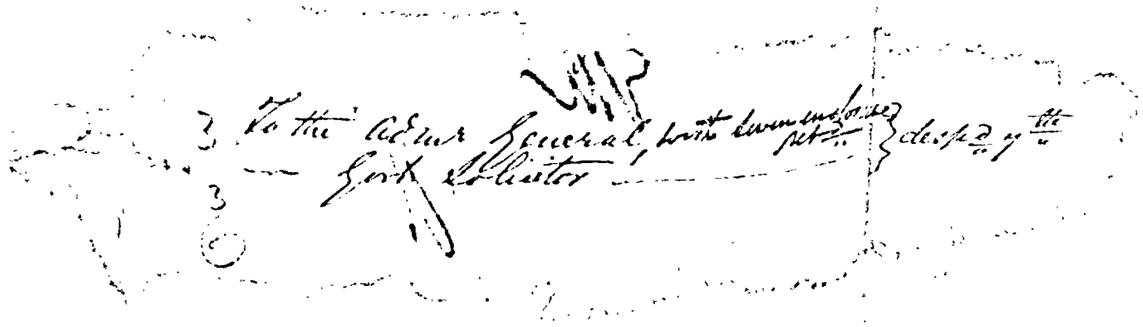
The Governor in Council directs that the Government Solicitor will call upon Mr. Ritchie to make good the sum of Rs 6750, the amount of the defalcation referred to in the foregoing letters.

2. Should the money not be paid at once by Mr. Ritchie, the Government Solicitor will call upon Mr. Ritchie's sureties to make good the amount, and in the event of their failing to do so, will

institute

institute a suit against
them for its recovery.





Indicia 1853 Jan. 6

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Provisions of Govt

Dated 4th November 1853

Feb. 1814/6th

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