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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. <u>3095</u>	Press
<u>403-404</u>	~~Mis.~~
Dated <u>17-10-</u>	<u>18 65</u>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
17th October 1865.*

No. 403. Read the following Proceedings of the Madras Government in the Ecclesiastical Department:—

Passing orders on an application from the Garrison Chaplain of Fort Saint George for an addition to the income of the Saint Mary's Church Fund, and for the execution of the repairs required to the Fort School premises. (Here enter 11th October 1865, No. 265.)

No. 404. ORDER THEREON, 17th October 1865, No. 3,005.

CIVIL WORKS, No. 55.

Communicated to the Superintending Engineer of the 4th Division, whose attention will be requested to paragraph 3.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 4th Division.
,, Controller of Public Works Accounts.

Exd. S. T. Augustin.

*Proceedings of the Madras Government, Ecclesiastical Department,
11th October 1865.*

Read the following papers :—

No. 26. From the Reverend J. RICHARDS, M. A., Garrison Chaplain of Fort Saint George, and Superintendent of the Fort School, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated 7th July 1865.

I have the honor to bring to the notice of Government the present state of the Saint Mary's Church Fund, with an urgent request that some immediate measure of relief may be granted, the expenditure of the Fund being now considerably in excess of the income.

2. You are probably aware that this Fund accrued from the accumulation of monies bequeathed from time to time, during the last century, to the Minister and Church Wardens of Saint Mary's Church, for charitable purposes.

3. It appears that in the year 1811, a Mr. Baker, who is said to have been the last Church Warden of Saint Mary's Church, made over to the Accountant General of that period the whole of the fund, then amounting in public Securities to Sicca Rupees 1,70,000, the income of which was to be applied to certain charitable purposes, specified by him. By what authority this transfer was made does not appear, as I can find no records of the proceedings of the Church Vestry, subsequent to the year 1809. It is evident, however, that the Minister of Saint Mary's Church, who is the principal Trustee of the Fund, was no party to it—I am unable to discover who was the Minister at the period above referred to, or whether there was *any* duly appointed Minister then in office. It appears, moreover, from the correspondence on the subject in the Accountant General's office, that the legality of the transaction has been repeatedly called in question, and that a former Advocate General recommended an application for an Act of Parliament to enable the Government to dispose of the fund.

4. The proceeds of Saint Mary's Church Fund have apparently, for the last half century, been applied to the maintenance and education of a charity school for 50 boys, and the payment of a certain number of Pensioners nominated by the Chaplain.

5. It would appear that up to a late period these proceeds have been adequate for the purposes of the charity; but now, in consequence of the general rise in the price of provisions and clothing, they altogether fall short. I find that, whereas the average monthly expenditure for the year 1863 was Rupees 754-3-0, for the present year it is Rupees 802-10-5. I should state that, during the last few months, I have been compelled to renew the contract for Butcher's meat at one-half more than the former rate. Bread and other provisions have proportionably increased in price.

6. The amount of the fund in public Securities now lying in the hands of the Accountant General is Company's Rupees 2,09,800, producing, at 4 per cent. interest, Rupees 8392 annually, or not quite Rupees 700 *per mensem*. It will be seen therefore that there is now a monthly deficit of more than Rupees *one hundred*.

7. I beg to state that, on reference to the old records of the Church, I find that the money was originally lent to the Government at rates varying from 8 to 10 per cent. interest, whereas now the charity only receives four per cent., being considerably more than one per cent. below the ordinary rate of interest. I assume that the charity suffered a loss of one per cent. by the sudden conversion of stock which took place in 1856.

8. Upon the grounds above stated, I have the honor to request that His Excellency the Governor in Council will be pleased to take the circumstances of the charity into his consideration, and to grant such a measure of relief as he shall deem expedient. I venture to indulge a hope that as the Government allows to the Military Male Orphan Asylum 8 per cent. interest on its funds, His Excellency will be pleased to grant the same privilege to this charity, presenting, as it does, exactly similar, and much older, claims.

9. I beg also to point out that the school premises are in urgent need of extensive repair; and as we have no funds whatever to meet this demand, I respectfully request that the Government Engineer may be ordered to do what is needful on this behalf.

2 *Proceedings of the Madras Government, Ecclesiastical Department,*
11th October 1865.

10. Moreover, I beg leave strongly to represent the fact that the funds in the hands of the Accountant General will be exhausted by the current demands of the ensuing month, and as the next dividend will not be due till the 30th September, there will be absolutely nothing to meet the current demands of that month. I trust, therefore, that my application will receive the immediate consideration of Government.

11. I beg to append a Statement of the ordinary expenditure for the last two and a half years.

Expenditure 1863.				Expenditure 1864.			
	RS.	A.	P.		RS.	A.	P.
January.....	681	1	2	January.....	650	6	8
February.....	702	4	10	February.....	707	2	0
March.....	720	9	1	March.....	701	5	0
April.....	660	2	9	April.....	732	13	9
May.....	985	0	5	May.....	704	6	10
June.....	616	8	1	June.....	1,003	2	10
July.....	708	10	3	July.....	686	9	1
August.....	733	4	5	August.....	743	14	10
September.....	728	12	9	September.....	739	8	11
October.....	728	4	10	October.....	736	5	3
November.....	693	4	11	November.....	771	10	4
December.....	1,042	4	7	December.....	742	3	7
Average per mensem, Rs 754-3-0				Average per mensem, Rs 744-15-5			

Expenditure 1865, for half-year.

Months.	Establishment.		Pensioners.		Diet clothing, &c., &c.		Total.		Average.
	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.	
January.....	351	6	0	124	12	0	263	11	1
February.....	351	6	0	124	12	0	275	11	0
March.....	351	6	0	124	12	0	575	6	11
April.....	351	6	0	124	12	0	257	2	2
May.....	351	6	0	124	12	0	275	7	11
June.....	351	6	0	124	12	0	312	4	9
Total.....	2,108	4	0	748	8	0	1,959	2	8
Average.....	351	6	0	124	12	0	326	8	5

(Signed) J. RICHARDS, M. A.,
Garrison Chaplain, and Supt. of Fort School.

No. 27.

No. 339.

MEMORANDUM.

The Under Secretary to Government, Public, &c., Departments is directed to forward the accompanying letter* to the Accountant General, and to request that he will report, in communication with the Government Solicitor,

* From the Garrison Chaplain, 7th July 1865.

whether there is any objection to the Garrison Chaplain of Fort Saint George procuring a more profitable investment for Saint Mary's Church Fund.

FORT SAINT GEORGE,
28th August 1865.
To the Accountant General.

(Signed) C. G. WALKER,
Under Secretary to Government.

Proceedings of the Madras Government, Ecclesiastical Department, 3
11th October 1865.

No. 28. From F. LUSHINGTON, Esq., Accountant General, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Fort Saint George, 27th September 1865, No. 109.

Book and Adjustment Department.

Adverting to Memorandum in the Ecclesiastical Department, dated the 28th ultimo, No. 339, I have the honor to submit, for the consideration of His Excellency the Governor in Council, copy of a letter from the Government Solicitor, dated the 16th instant, and of the Opinion of the Advocate General, relative to a change in the investment of the Funds belonging to Saint Mary's Church.

2. The opinion of the Advocate General, it will be observed, is not favorable to any change in the present investment of those funds, and, in this opinion, I fully concur. But, at the same time, it is quite open to the Government, should it see fit, to place the funds of Saint Mary's Church on the same footing as those of the Military Male Orphan Asylum, the funds of which Institution properly yield only 4 per cent., the additional 4 per cent. being made up by a grant from the Government Treasury; and it seems evident, from Mr. Richards' letter, either that the charities of Saint Mary's Church must be curtailed, or that its funds must be likewise supplemented by a grant from Government.

3. It would appear, however, from the 2nd paragraph of the Advocate General's opinion, that the subject has been already considered and disposed of by His Excellency the Governor in Council.

From J. R. BOYSON, Esq., Government Solicitor, Madras, to F. LUSHINGTON, Esq., Accountant General, Madras; dated 16th September 1865, No. 527.

I have the honor to acknowledge your letter of the 29th ultimo, No. 1849 (with its enclosures), relative to changing the investment of funds belonging to Saint Mary's Church.

2. I considered it desirable to submit the papers for the consideration of the Advocate General, and having done so, and also conferred with him on the subject,

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

COPY—OPINION.

The question referred to me is not precisely that preferred by the Reverend Mr. Richards to the Government. He simply asks that 8 per cent. may be allowed upon the Saint Mary's Church Funds, instead of 4 per cent., their present rate of interest.

2. The remarks of His Excellency the Governor in Council dispose of that application, and point out the proper course which the Garrison Chaplain should pursue under existing circumstances.

3. The Government is itself the Trustee of these funds, and I cannot advise their being in any way dealt with, or their position altered. Looking at the history of the Saint Mary's Church Funds, so far as it can be traced, it would be most inexpedient to attempt to alter their present position. The time may arrive when the Government will be compelled to act, as for instance, on the payment off of the loan in which the funds now stand invested. But until then, I recommend the funds being left *in statu quo*.

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

15th September 1865.

(True Copy).

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

(True Copies).

(Signed) J. MACKEY,
Acting 1st Assistant Accountant General.

4 *Proceedings of the Madras Government, Ecclesiastical Department,*
11th October 1865.

No. 29.

No. 386.

MEMORANDUM.

The Acting Secretary to Government has the honor to request that the Accountant General will inform him from what sources, if any, other than the interest accruing from Saint Mary's Church Fund, the Fort School is maintained, also whether any portion of the Tomb fees is appropriated to the charity.

FORT SAINT GEORGE,
30th September 1865.
To the Accountant General.

(Signed) W. HUDLESTON,
Acting Secretary to Government.

No. 30.

No. 111.

OFFICIAL MEMORANDUM.

Book and Adjustment Department.

In reply to the Memorandum from the Acting Secretary to Government, Ecclesiastical Department, No. 386, dated 30th ultimo, the Accountant General has the honor to state that, in addition to the interest accruing from Saint Mary's Church Fund, the Tomb fees realized by the Chaplain, Fort Saint George, as also the interest on Woolley's bequest, which latter amounts to Rupees 228 yearly, are appropriated towards the maintenance of the Fort School.

FORT SAINT GEORGE,
2nd October 1865.

To the Acting Secretary to Government, Ecclesiastical Department, Fort Saint George.

(Signed) F. LUSHINGTON,
Accountant General.

No. 31.

No. 389.

MEMORANDUM.

The Acting Secretary to Government has the honor to request that the Accountant General will state what is the whole income of the Fort School, and in what proportions derived from each source, and what the expenditure.

FORT SAINT GEORGE,
4th October 1865.
To the Accountant General.

(Signed) W. HUDLESTON,
Acting Secretary to Government.

No. 32.

No. 117.

OFFICIAL MEMORANDUM.

Book and Adjustment Department.

With reference to the Memorandum from the Acting Secretary to Government, Ecclesiastical Department, No. 389, dated 4th instant, the Accountant General has the honor to subjoin particulars of the whole annual income and expenditure of the Fort School, viz:—

INCOME.		
	RS.	A. P.
Interest realized from funded property of Saint Mary's Church.....	8,392	0 0
Do. from Woolley's Legacy...	228	0 0
Tomb fees in 1864-65...	431	7 3
	9,051	7 3

EXPENDITURE IN 1864-65.		
Establishment...	4,308	0 0
Pensions...	1,497	0 0
Diet and clothing of boys of Fort School...	3,709	13 6
Do. for Woolley's Scholars...	228	0 0
	9,742	13 6

Proceedings of the Madras Government, Ecclesiastical Department,
11th October 1865. 5

2. An abstract of receipts and disbursements on account of Saint Mary's Church Fund is rendered to Government every year—vide last year's abstract, sent with letter, No. 19, dated 19th May 1865.

(Signed) F. LUSHINGTON,
Accountant General.
FORT SAINT GEORGE,
7th October 1865.
To the Acting Secretary to Government,
Ecclesiastical Department, Fort Saint George.

No. 33. ORDER THEREON, 11th October 1865, No. 265.

The above correspondence will be forwarded to the Director of Public Instruction, for report whether the circumstances of the case would warrant a Government grant in aid of the expenditure on the Fort school.

2. The Garrison Chaplain will be requested to submit a detailed Statement of the expenditure, showing the numbers, rates of pay, &c., of the establishment; the number and rates of the pensions, and the age and circumstances of the recipients; and the number and ages of the scholars, and the nature of the instruction they receive.

3. The Barrack Master will report whether the school building belongs to Government, in which case, provision will be made for the repairs, on emergency, in the Department Public Works.

4. With reference to the remark at paragraph 2 of the Advocate General's opinion, the Government observe that Mr. Norton has mistaken a remark on a precis of the correspondence, which was communicated to him for facility of reference, for an Order of Government.

(True Extract).

[Signature]
Acting Secretary to Government.

To the Garrison Chaplain, Fort Saint George
" Accountant General.
" Director of Public Instruction.
" Barrack Master.
" Government Solicitor.
" Public Works Department.

Ed. J. H. Burns.

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Sipky Engineers of the
4th Div, military attention
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Stanh & George?
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404 1866 Dep't.
Pro: of Gov't for Act
No. 4033.

Pro: of Gov't in the
Ecclesiastical Dep't.

Of 11 }
Rec'd 10 } Oct/65

ex. 3095. 17th Oct 1865

Paying order on
an application from
the Garrison Chaplain
of Fort St. George for an
addition to the income
of the St. Mary's Church
Fund, under the
execution of the
revenue regd to the
Fort School premises
with an order.

No. 400.404