1. Number of pages 26
2. Date of repair 1.8.35
3. Initials of Referent

16.2.36

M.R.O. 1—82,400—23-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

pension DEPARTMENT.

G.O. No. 335 ~~Press~~
Mis.

Dated 9-10-1862

Not to be folded or roughly handled

284
1 Enclo

CIVIL PAYMASTERS OFFICE
18 AU
1862

①

From,

The Registrar
Supreme Court, Madras.

To,

The Civil Paymaster
Fort Saint George

Sir,

With reference to the Notification of Government dated 15th April 1862, published in the Official Gazette of 29th April 1862; I have the honor to forward to you, the accompanying Petition from Mr. Felix James, late an Employe in Her Majesty's Supreme Court, Madras.

I have the honor to be,
Sir,
Your most Obedient Servant
M. Macdonald Ritchie
Registrar

Supreme Court, Madras
Registrar's Office
15th August 1862

18/8

S
284
5745

Judl. Lr. to Regr. 28th April No. 14 of 1863

Pension 1862 Refused

No. 500.

From
The Registrar of the
High Court Madras.

15th August
23d September } 1862

Forwarding Appli-cation from Mr. Felix
James. Late Clerk of his
Establishment - for pension.

P.G.-538

---

18 AU 1862

To His Excellency the Honorable Sir W: T:
Denison K: C. B. Governor in Council
Fort St George.

The humble Petition of Felix James
late an Employe in Her Majesty's Supreme
Court - Madras.

Respectfully Sheweth

That your Petitioner, considering himself aggrieved by having been compelled by the late Registrar of the Supreme Court, Mr. Serle to take his Pension though he was far from being non-effective, but, perhaps, has ten years more work in him. Submits to your Honorable Sir, the injustice and tyranny of the proceeding, with a view that under the arrangements for the Amalgamation of the Supreme Court and Sudder Courts he may be humanely provided for, as his pension, since Mr. Serle's death has been discontinued by Mr. Brooks, who was acting Registrar for the time being, without restoring your Petitioner his former place, to which he had every claim particularly from the discontinuance of his pension, and also from the circumstance that he was compelled to take the said pension.

That your Petitioner entered the Supreme Court, Registrar's Office in the year 1810 - when he was a mere Stripling under Mr. G. Ricketts, the then Registrar - Sir Thomas Strange being then the Chief Justice, your Petitioner served uninterruptedly under five Registrars, that he thus acquired an extensive Knowledge of the business of the Department, in its several branches; that he rendered himself extremely useful, and he can say with confidence, that he gave entire satisfaction to all his former Employers.

That your Petitioner has served the Crown in the Supreme Court for a period of 48 years and upwards and now he is left utterly destitute with his family though he is able and willing to work, yet his application, to the present Registrar, to be restored to his former Situation has been refused, on the plea that there is no vacancy, while he has been also deprived of

his

pension after serving the state for nearly half a Century which, you will admit, Honorable Sir, is a hard case, indeed.

That under such painful circumstances, suffering great privations and hardships, your Petitioner most humbly and respectfully throws himself on the compassion, the philanthropy and humanity of your Excellency as a Christian Governor and an English Gentleman, Eminent of high and exalted Virtues, to take his lamentable case into your favorable consideration, Honorable Sir, and Order his reinstatements, on the Amalgamation of the Courts, as the Charter of the new High Court, places it under the direct control of the Government being now the Queen's, and your Petitioner having, all his life long, served the Crown, he conceives he has a claim to a pension from the Queen's Government as a Queen's Servant, or to his restoration, to his Old place of which he has been unjustly deprived.

That before the transfer of India to the Crown, the Employés in the Supreme Court, being considered in the light of private Clerks, were not entitled to a pension from Government, but the case it is most humbly and respectfully submitted is now altered and having upwards of 48 years Service to show of which between 2 and 3 years he was brought directly under the Empress of Hindostan, your Petitioner can, he ventures to presume reckon his back Service to Count for a pension, but if this cannot be done, which is a just and reasonable claim, take into your Equitable consideration, Honorable Sir, the labor of half a Century, which ought not to go for nothing, and order his restoration to his old place for although fully able and willing to work, still he cannot obtain a Situation elsewhere as he is unacquainted with any other business than that of the Registrar's Office of the Supreme Court.

That your Petitioner looks upon you Honorable Sir, rather as a Providence in his case, than as a Power, and committing his cause into your Excellency's hands, he entreats that his humble and earnest prayer will excite your pity, Honorable Sir, and save him and his family from the horrors of destitude.

For which act of humanity your Petitioner and his family as in duty bound—

Shall ever Pray

Madras.
14th August 1862.

CIVIL PAYMASTER'S OFFICE
6 SEP
1862

A. M. Ritchie Esqre.

Registrar of the High Court

Respected Sir,

With reference to the Letter under date the 22d. August 1862 No. 399 from W. J. Raynor Esqre. Officiating Civil Pay Master, requesting to be furnished with details of my Service, I have the honor to state, that I was entertained in the Office of the Registrar of the Supreme Court in the month of Feby. 1810 and Served up to the 15th. of Septr. 1859, without a break in this long period of faithful and unremitting Servitude.-

The late W. A. Serle Esqre., the then Registrar of the said Supreme Court, desired me to take my Pension in Septr. 1859, though I was effective, and am So Still, and extremely anxious to be actively employed.-

From the 15th. of Septr. 1859 to the 31st. of Decr. 1860 I received my Pension, when it ceased in consequence of the death of Mr. Serle.-

I applied to B. Brooks Esqre. who was acting for Mr. Serle, either to Continue my Pension or to reinstate me in the Office. In neither of which requests did I Succeed. I applied to your honor with the same unfortunate result.-

I have at last appealed to our illustrious Governor, the Honorable Sir W. Denison. His Excellency's Sense of Justice is well known; and that a service of half Century, devoted to the state, in the best days of my Youth and Strength, should go for nothing, is not Characteristic of the British Government, proverbial for its liberality to its Servants.-

From

Judl. Ltr. to Engd. 28th. April
No. 14 of 1863

No. 284

From beginning to end of my Career, in the Registrar's Office, I have borne a Character for good Conduct, unexceptionable and exemplary throughout.—

Moreover, for fifty Years a few months less - in addition to the Current business of my own Department, I did duty, as occasion Called for, in several other branches of the office, as the annexed extract from the Records will testify.—

Having thus briefly stated my Case, I earnestly entreat you will Support my Claim by your powerful Recommendation.—

I was in the Service of the Crown when the Country was transferred to Her most gracious Majesty, and am entitled, in Justice and Equity, to Count for Service the whole period I was in the Registrar's Office.—

I have the honor to subscribe myself with Sentiments of profound respect and unfeigned Submission.—

Respected Sir,
Your most Obedient Servant
(Signed) Felix James.

Madras
1st Septr. 1862

The appointments

1. Judgment Roll Keeper drafting out and preparing Exemplification of the same on Parchment for Europe.—
2. Manager of the Order Department preparing and drafting out Orders and Money Orders and fair Copying the same.—
3. Engaged in fair minutes from the drafts of the Registrar into three Several Books Viz Plea, Equity, and Ecclesiastical Sides.
4. Preparing Judges Cause Papers and also entering Causes for Trial on Board for 4 Terms.—
5. Managing and drafting out Letters of Admon and Probates and entering in the Office and Europe Registry and also Exemplification of the same.—
6. Occasionally attending on Record and assisting the Manager in Docketing the Plaints which I can point out the facts of the duties if necessary.—

Exd

Incld. in Lr. to Cng. 28th
April No. 14 of 1863

Incl. No. 350

361

(6)

CIVIL PAYMASTERS OFFICE
19 SP
1862

High Court, Madras.
Registrar's office; 18th September 1862.

From

A Macdonald Ritchie Esquire
Registrar High Court.

To

The Officiating Civil Paymaster
Fort Saint George.

Sir,

I have the honor to acknowledge the receipt of your letter of the 4th Instant, and in reply to inform you with reference to the 1st para thereof, that the name of Mr. Felix James would not appear in the Returns of the Supreme Court, for the reason of his having been a Clerk in the Establishment of the Registrar and paid by him from his fees.

With reference to Mr. James's services, as detailed by him, I have not the means of verifying them by the Records, except by the Statement of an old Clerk in this office - a Copy of which I beg to send herewith for your information.

I have the honor to be,
Sir,
Your Obedient Servant,
A Macdonald Ritchie
Registrar

R 6699

370

Statement of Mr F James' duties-

1st I remember Mr James was Judgment Roll Keeper, but cannot remember, he drafted and prepared Exemplification of the Same on Parchment to England-

2 In 1830 Mr James Conducted the Order Department, by preparing draft Orders and Money Orders and fair Copying them with another Clerk-

3 Mr James entered the Minutes from the Registrar's Minute Book into other books, vizt Plea - Equity and Ecclesiastical-

4 Mr James prepared Judges Cause papers and entered Causes for trial on boards for 4 Terms-

5 In the latter part of the year 1858, when Mr Passanha became blind, Mr James Succeeded him, drafted out Letters of Administration and fair Copied Probates, which were copied and entered by himself and other Clerks- he also drafted out Exemplification of Probates and Administrations-

6 When the late Manager Mr Brickmire was very busy, he sometimes asked Mr James to search the Records-

(Signed) Robt Wm Rodgers

To,
The Officiating Civil Paymaster
Fort Saint George

Enclo: Four

330

CIVIL PAYMASTERS OFFICE
3 SP
1862

Official Memorandum

High Court, Madras.
Registrar's Office.
2d September 1862

The Registrar begs to forward to the Officiating Civil Paymaster, the accompanying copy of a letter, from Mr. Felix James, late a Clerk in the Registrar's Office, Supreme Court Madras, containing the detail of his Services required by the Official Memorandum of the 22d Ultimo.—

W. Macdonald Ritchie
Registrar.

To,
The Officiating Civil Paymaster.
Fort Saint George.

R 6195

H.H.

R

General Depart.t

No. 459.

Memorandum

dated 14th August 1867

In submitting the accompanying petition from Mr. Felix James, received with Mr. Ritchie's letter of the 15th August last; together with the papers connected with the case, the Offg. Civil Paymaster has the honor to report that Mr. James is not entitled to either pension or gratuity from Government; as he did not belong to the permanent Sanctioned Establishment of the late Supreme Court; but was paid by the Registrar from his fees.

Offg. Civil Paymaster.

Civil Paymaster's Office
Fort Saint George
20th September 1867.

To
The Chief Secretary
to Government.

O.H.H.

Judl. Lr. to Engd. 28th April
No. 14 of 1863.

Madras 1862 Judl.

No. 50

From The Chief Secretary
to Government.

Dated 20th September
Recd. 23d — 9/1862.

No. 459.

Enclosure 0

Do.

Notes that Mr. James is not entitled to either pension or gratuity from Government for reasons given.

P.P. 335

---

(12)

Proceedings of the Madras Govt.

Read letter from the Registrar of the late Supreme Court d/15 August 1862

Read report of Civil Paymaster d/20th Sept. 1862 No 459.

Order thereon — 9 October 1862 No. 335

These papers have reference to a claim made by Mr. Felix James to a superannuation pension or to re-employment in the High Court.

It appears that Mr. Felix James has served for upwards of 48 years as a clerk in the Registrar's office being paid from the Registrar's fees. > >

> > He was made to retire in 1859 & was allowed a pension from the Registrar's fees while Mr. [illegible] held the office, but this has been discontinued.

WM

Mr. James' name was not included in the list of the servants of the Supreme Court submitted to the Civil Paymaster as ~~become not~~ considered as an employé of the Supreme Court, but as a private clerk employed by the Registrar & paid by him.

Under these circumstances the Civil Paymaster reports that Mr. James is not entitled to pension or gratuity as not belonging to the permanent sanctioned Establishment of the Supreme Court—

The Govt. concur in the view of Mr. James's case taken by the Civil ~~Auditor~~ Paymaster and are precluded by the Pension Rules from complying with the prayed application for superannuation pension.

The reemployment of Mr. James in the ~~Supreme Court~~ High Court rests with the Chief Justice to whom Mr. James should apply.—

R.E.

Incld. in Lr. to Engd. 28th
April No. 140 of 1863

Pension 1862 Despatch
No. 335

Proceedings of Govt.
of 9th October 1862

Referring to grant
Pension to Felix Dames
late Clerk of the Registrar's
Office Supreme Court