

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No.

7

Press

~~Mis.~~

Dated

5-1-1861

Not to be folded or roughly handled

*Proceedings of the Madras Government, Political Department,
5th January 1861.*

Read the following papers :—

No. 11. From G. G. K. RICHARDSON, Esq., to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George.

I have to solicit the favor of your submitting for the consideration of the Honorable the Governor in Council the following circumstances connected with my claim to a sum of Rupees 11,330, in respect of certain Istafa Cutcherry Bonds issued by order of His Highness the late Nawab in payment of the debts of Ghoolam Moortooza Khan, for the payment of which, Act 30 of 1858 expressly provides.

2. Had I been able to trace the Bonds in question in time to file them in Court in February 1859, under the Provisions of Act 2 of 1859, I should have received the Rupees 11,330 long ago, there being no question as to their validity, or as to Ghoolam Moortooza Khan having received value for the same. The only objection arose from the non-production of the Bonds, which, as I have mentioned, I had not then been able to trace.

3. It has now transpired from the evidence adduced in support of Fakeer Saib's claim against the Nawab's Estate, that he had received these Istafa Cutcherry Bonds and fraudulently withheld and concealed them from me. These very Bonds were included in Fakeer Saib's particulars, but the payment of this sum of 11,330 Rupees and interest was successfully resisted by the Law Officers of Government on the very ground that I, and not Fakeer Saib, was entitled to the amount.

4. I would now, therefore, request the attention of Government to the fact that the Supreme Court, in its judgment in this suit, disallowed this sum to Fakeer Saib, expressly on the ground of the objection taken on the part of Government, that the same was due to me and not to him; and I respectfully submit my claim and pray that Government will be pleased to issue instructions to their Law Officers to cause the amount to be paid to me the person confessedly entitled thereto.

Referred for the report of the Government Solicitor.

(Signed) T. PYCROFT,
Chief Secretary.

11th December 1860.

No. 12. From J. R. BOYSON, Esq., Government Solicitor, Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 21st December 1860, No. 2,104.

*Letter from G. G. K. Richardson, without date.
Order of Government thereon, dated 11th December 1860.*

1. I have the honor to acknowledge the receipt of the papers noted in the margin and herewith returned.

2. I have since conferred thereon with the Advocate General, a copy of whose opinion I herewith forward.

COPY—OPINION.

I was satisfied, and so was the Government Solicitor, when we went, together, over the claims of the various parties, who claimed as holders of the Istafa Cutcherry Bonds issued on account of Ghoolam Moortooza Khan, that value had been received for an amount which included the Rupees 11,330 respecting which Mr. Richardson has now addressed Government. Government were, therefore, in my opinion, liable to pay that amount, and that amount has not been paid; and when it was claimed by Fakeer Saib, I objected, and successfully, that on his own showing it was due to Mr. Richardson not to himself, and that he could not include in his claim a demand on account of any other person, and of this opinion was the Court.

Mr. Richardson is barred in law from claiming this sum; having accepted the amount offered him on behalf of Government in full satisfaction of all his claims in respect of the Nabob's Estate.

disburse

Proceedings of the Madras Government, Political Department,
5th January 1861.

It is therefore a matter solely for the consideration of Government, whether, under the circumstances above mentioned, they will take Mr. Richardson's application into their favorable consideration.

20th December 1860.

(Signed) THOMAS SYDNEY SMYTH,
Advocate General.
(True Copy.)

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

No. 13.

ORDER THEREON, 5th January 1861, No. 7.

Under the opinion given by the Advocate General and the explanation furnished by Mr. G. G. K. Richardson of the reasons which prevented him from filing in Court under Act XXX 1858, the Istafa Cutcherry Bonds for Rupees 11,330 alluded to in his letter; resolved, that the Sub-Treasurer be authorized to disburse to Mr. G. G. K. Richardson, on his receipt, the sum of Rupees (11,330) eleven thousand three hundred and thirty in satisfaction of the claim upon the Estate of the late Nawab of the Carnatic preferred by him in respect of those Bonds.

(Signed) T. PYCROFT,
Chief Secretary.

Political Department:

From G. G. K. Richardson Esq.

Dated 11th December 1860 N:848.

From the Government Solicitor.

Dated 21st December 1860 N:881.

In Orders.

As it is declared your Lord
ships that he was never to sell
now claimed a full one. It
should in my opinion be paid.

When Mr. R. accepted in full
satisfaction of all claims, the
money offered him by Govt.

had not possession of the
Bonds in question & as they
appear to have been fraudulent
it will be seen from this, I
do not expect it would be
right, in the Court to refuse,
on this ground, to pay the
sum lawfully due to me

I -

W. C.

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Dec 24 1860

My dear Mr. Tynost

The Advocate General
and I are both of opinion
that Mr. Richardson's
claim is an equitable one
and one that should receive
favorable consideration at
the hands of Government, in
fact that it should be paid
Had it been put forward
originally with all the
facts and circumstances
that were afterwards
disclosed in connection with

Richard's suits (main part
of which arose out of the
sundry transactions at there
in which Ed Richardson
was concerned) we should
at that time have included
the amount then asked for
in our offer and at that
time have paid it.

Yours very truly
J. Maysey

J. P. Quotley

(4)
This is in reply to a
note from you asking
Mr B what was his
and H R's private
opinion as to the
propriety of satisfying
Messrs A & Co's claim

26/12/60 J.P.

Political Department.

Proceedings of the Madras Government.

Read the following papers.

From Mr. G. G. A. Richardson. (No date)

From the Government Solicitor. (Here enter 21 Decr 1860, No 2101)

Order thereon 5th January 1861 No 7.

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G
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Under the opinion given by the Advocate General and the explanation furnished by Mr. G. G. A. Richardson of the reasons which prevented him from filing in Court under Act ~~xxx~~ 1858 the Istafa futehery bonds for Rupees 11,330 alluded to in his letter; resolved, that the Sub Treasurer be authorised to disburse

disburse to Mr. G. G.
 F. Richardson, on his
 receipt, the sum of
 Rupees (11,330) Eleven
 thousand three hundred
 and thirty, in satisfac-
 tion of the claim pre-
 ferred by him in res-
 pect of those Bonds.

JP

upon the estate of the
 Late Muramba of 4
 Carnatic

Mr. Richardson's
 only in full in
 10.

To the Sub Treasurer.
 To Mr. G. G. F. Richardson.
 To the Government Solicitor.
 " Accountant General.
 " Civil Auditor —

with copy of
 Mr. Richardson's
 letter. —
 Decr 30th 1841.

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Insured

Ms. B. 2. 1861-

Department

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Proceedings of the Madras

Government.

Dated, 5 January/8

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