

## MADRAS RECORD OFFICE.

Government of Madras.

*Rename* DEPARTMENT.

G.O. No. 293

Press  
Mis.

233.234

Dated

11. 2. 1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,  
11th February 1865.*

No. 233. Read the following letter from F. LUSHINGTON, Esq., Accountant General, to J. D. SIM, Esq., Secretary to Government, Revenue Department, dated Fort Saint George, 11th November 1864, No. 153:—

Sir,

1. With reference to the Order of Government, No. 1,929, dated 20th ultimo, directing the payment to Mrs. Arathoon, as the sole descendant of Mr. Coja Petrus Usan, the founder of the Marmalong Bridge and the steps up Saint Thomas' Mount, of Rupees 1,050, left for the maintenance of a Coultury founded by him near the bridge, I have the honor to observe that the sum of Rupees 3-8-0 paid monthly to Mrs. Arathoon, is not the interest on Rupees 1,050, as mentioned in the correspondence between the Collector of Madras and the Board of Revenue, received in the order of Government above quoted, but an annuity equivalent in amount to the interest paid by Government agreeably to the authority conveyed in the General Letter from the late Honorable the Court of Directors, No. 17, dated 3rd July 1844, communicated to this Office with the Order of Government, No. 876, dated 27th August following.

2. As the circumstances under which the Court of Directors were pleased to meet this charge from the Imperial funds, are given in their letter above quoted, it is unnecessary to

\* Corresponding with the total of the two sums alluded to by the late Honorable Court of Directors in their General Letter, dated 1st March 1843, No. 5, quoted in Extract Minutes of Consultation, dated 29th June 1844, No. 712.

allude to them here, further, than to mention that there is no special investment of Rupees 1,050. The sum of Rupees 5,250,\* left by

Petrus Usan for the maintenance of the Marmalong Bridge and the steps up Saint Thomas' Mount, was invested, under the orders of the Supreme Court, dated 7th August 1843, in two Promissory Notes for Sicca Rupees 4,700, and the interest thereon is paid to the Board of Revenue, who are appointed by the orders of the same Court, dated 2nd March 1849, as Trustees of the Charity Fund for the maintenance and superintendence of the Bridge and the steps in question. Besides the investment of Rupees 5,250, a further sum of Rupees 2,500, being the surplus of interest on the

\* His Majesty's Attorney General at the relation of George Westcott, Esq., Informant, and William Douglas Brodie, Alexander Cockburne, and Joseph Baker Esq., Defendants, "The interest of the principal amount of the Legacy bequeathed by the Will and Codicil of Petrus Usan, the Testator in the Pleadings of this cause named, for the repairs of the Bridge built upon the river at Saint Thomas' Mount, commonly called the Marmalong Bridge, and the steps of Saint Thomas' Great Mount."

former sum after defraying the expenses incurred from time to time by the Board, for the repairs of the Bridge, &c., stands also invested in Promissory Notes, and is carried to the credit of a separate account, as noted in the margin.\*

3. Under these circumstances, and as no money ever came into the Government Treasury I am of opinion that the sum of Rupees 1,050, should not be paid by Government to Mrs. Arathoon, unless other grounds exist for that measure, of which this Office has no cognizance, but it should be rather paid from the surplus interest account above alluded to, viz., 2,500 Rupees but this cannot be done, except under the authority of the High Court, under whose orders the investment was made.

4. The Collector of Madras, in his letter dated 27th ultimo, requested me to inform him of the source from which the sum of Rupees 1,050 is to be paid, and to what head it should be debited; but before issuing instructions to that Officer, I thought it proper to bring these circumstances to the notice of Government, and take their orders on the matter, and which I beg to be favored with as early as practicable.

No. 234.

ORDER THEREON, 11th February 1865, No. 233.

**Miscellaneous.**

1. The history of the charitable endowment of Petrus Usan as given in the foregoing letter from the Accountant General, is substantially correct, and the allowance of Rupees 42 per annum is clearly a life annuity paid to Mrs. Arathoon from the Imperial Funds under paragraph 29 of the Despatch from the Court of Directors, dated 3rd July 1844, No. 17, communicated to the Board of Revenue in Extract Minutes of Consultation 27th August 1844, No. 876.



quitrent & a piece of land con-  
taining 8 a. bridge, the only  
remainder of the grant. The  
Board has not had  
consideration in great length  
of the proposed community  
by the bridge the Govt. will  
show some liberality and  
not only remit arrears of  
quitrent but exempt the  
land from quitrent & a

The Govt. accordingly remitted  
the arrears and admitted  
to the Supreme Court & exempted  
the land in question from the  
small annual demand of  
Rs. 6-3-4. The recommenda-  
tion however proved un-  
successful.

The circumstances of the  
case were in due course laid  
before the Court. Directors  
in connection with the case  
observed that the money left  
by Raja Debi was placed  
in the Public Treasury and  
the house & children having  
been since removed the inter-  
est of the sum which was  
left for their maintenance  
has lapsed to Govt. In con-  
sideration of Mr. Strathorn's  
connection with the founda-  
tion of the bridge the present  
circumstances the Court not  
only authorized the remission  
of the quitrent already alluded  
to but directed that Mr.  
Strathorn should receive for her  
life the interest accruing on  
the sum of Rs. 1050 which was  
originally left for the support  
of the children which have  
since been removed.

\* 12 Oct 1840. No. 768

# From Govt. of India. 10 Nov 1840  
No. 187

From Honble Court: 1 March 1843  
Para 5.  
No. 5.

\* 9 August 1843.  
No. 230.

made up approximately  
of the two sums of Rs.  
4200 and Rs. 1050 men-  
tioned in para 1 above.

From Accountant General  
11 Dec 1843. No. 202.

The Accountant General  
who was in consequence di-  
rected to cause the necessary  
disbursement to be made.  
reported that all the money  
left by Raja Debi was <sup>on the bridge account</sup> standing  
to the credit of a cause  
in the Supreme Court and  
could not be touched without  
an order of Court. He suggested  
that the Advocate General  
might be directed to move  
for an order for the issue of  
warrant of the requisition  
in Government paper for  
the payment of the  
interest accruing thereon  
& for the same.

The entire principal in  
this case amounting to Rs.  
5250 having been paid on  
1826 (the date on which the  
debt ceased) and being  
deposited in the Public  
Treasury on account of  
Directors) it is idle in the  
Treasury to place at this  
time the Supreme Court  
directed that the money  
should be invested in  
Government securities  
the securities should be  
to the credit of the cause  
already alluded to.

The Advocate General  
to whom the correspondence  
has been referred in view of  
the Accountant General's  
suggestion being carried  
out reported that

...the interest of the  
Fund could not be devoted  
entirely to the public ob-  
ject of the bequest, &c. &c.  
...in the future  
...that no  
application to the Court for  
its approbation & such a  
...as that suggested  
...succeed. But at the same  
time no application of  
it is to be attended to be-  
cause the Court had ruled  
that the Advocate General  
could not act officially  
on behalf of the Crown  
in Charitable cases.

Eventually the papers  
were sent home with a  
request that the House  
Court not favorably  
consider the alterna-  
tive suggestion of the  
Advocate General which  
was that the small life  
annuity to Mr. Stratton  
should be distributed  
of the Government funds.  
Sanction was accordingly  
granted and the Account-  
ant General issued the  
necessary instructions  
for carrying it into effect.  
The amount of 3-8-0 monthly  
has ever since been paid  
to Mr. Stratton. This sum  
was fixed because it was  
equivalent to the interest on  
at 4 per cent rate

From Mr. Norton 3 Oct 81

To House Court 20 March

\* From House Court  
3 July 1864. No. 17  
Paragraph 29

From Acc. Gen: 10 Sept 18

amount stood invested under orders of the Treasury

It is evident from the  
foregoing that the House  
Court were under a mis-  
apprehension in supposing  
that the interest of the  
Fund left by Coja Petrus had  
been paid to Government.  
There was in truth no  
reason whatever for giving  
a pension to Mr. Stratton.

It appears from the  
Accountant General's  
present letter that in 1872 the Supreme Court  
appointed the Board of  
Revenue to be the Trustees  
for the Charity Fund &c.  
on the same Coja Petrus  
and that under their  
orders the Government  
in accordance with the  
will of the testator was  
from time to time made

Now it is clear that  
the sum of Rs 1050 cannot  
be paid to Mr. Stratton  
out of the monies left  
by Coja Petrus, there does  
not appear any reason  
why the life annuity  
which she now receives  
should not be continued  
by a lump payment.

Yll

Revenue Department,

W-293.

Proceedings of the Madras Government  
under date the 11<sup>th</sup> February 1865-

Read the following  
letter from the Accountant  
General:-

With reference to S.O.  
No 1920, dated 20<sup>th</sup> Ultimo, re-  
quests to be informed from  
what source, the sum of Rs  
1050 therein alluded to, should  
be paid to Mr. A. Arathoon:-

(Here enter 11<sup>th</sup> No. 183/

The history of the  
charitable endowment of  
Petras Udeau as given in  
the foregoing letter from the  
Accountant General is sub-  
stantially correct, and the  
allowance of Rs 42 per an-  
num is clearly a life an-  
nuity paid to Mr. A. Arathoon  
from the Imperial Swiss pen-  
sion under para 29 of the despatch  
from the Court of Directors  
dated 3<sup>rd</sup> July 1844, No 17, com-  
municated to the Board of  
Revenue in Extract Minutes  
of Consultation 27<sup>th</sup> August  
1844, No 876:-

The order of the

Be to her last, No 1920, which  
was passed under the im-  
pression that the case had  
reference to a lapsed su-  
dowment must therefore  
be cancelled. At the same  
time the Governor in Council  
resolved to ask the sanction  
of the Home Govt for the  
disbursement to Mrs. Ara-  
thoon of Rs 1050 out of the  
public funds.

The Board of Revenue  
will be called on to report  
what is done with the in-  
terest which they receive  
as Trustees of the charity in  
the question.

gld

Reported to England  
11 February 1885 N. 8. W.

Deerue 1865-1866  
for of your journey.

172293.

Book the books  
Government of  
11 February 1885

Board of Directors  
1885

172293/176

172293/224

Deerue the  
some time of the house  
you were to side  
leave to side of the  
the number of the  
and to be in the  
the same long bridge  
and in the