

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.

671

Press
M.R.

Dated

23. 10. 1857

B. 100-3-4

Not to be folded or roughly handled

Fort Saint George, Financial Consultation, 29th October 1857.

No. 3. Extract from the Proceedings of the Right Honorable the Governor General of India in Council, in the Financial Department, under date the 2nd October 1857, No. 4232.

Read again the following papers relative to the payment of the amounts of lost Bills of Exchange drawn on or by Treasuries not now in existence.

Letter from Accountant General to the Government of India, No. 111, dated the 10th August last, with enclosures.

Reply to ditto No. 3660, dated the 28th August last.

Read the undermentioned papers on the above subject.

Letter from Accountant General to the Government of India, No. 6, dated the 7th Ultimo, with one enclosure.

Letter from Accountant General to the Government of India, No. 5, dated the 10th Ultimo with a report annexed thereto.

Letter from ditto, No. 9, dated the 12th Ultimo, with a Memo : appended thereto.

Extract from the Proceedings of Government in the Military Department, No. 781, dated the 16th Ultimo, with its enclosures.

Extract from ditto, No. 1319, dated the 26th Ultimo.

RESOLUTION.—The Right Honorable the Governor General in Council observes that on the 28th of August last, the Accountant General to the Government of India was informed with reference to his request for permission to authorize payment, without a special reference to the Government and on being furnished with sufficient indemnity, of the amounts of lost Bills of Exchange drawn on or by Treasuries not now in existence, that no general authority for the payment of such demands could be delegated to him and that every case which may happen to occur should be specially reported for the orders of Government.

Referring to the above instructions, the Accountant General in submitting an application for the refund to the sepoy of a detachment of the 34th Regiment N. I. stationed at Chittagong of the amount of certain Drafts remitted by them to their homes long before the Mutinies occurred but which Drafts are still unacknowledged, solicits the orders of Government on the following points, for the guidance of Treasury Officers and the Departments of Account generally, in disposing of applications for the payment of similar demands; the points not being provided for in the established rules for Bills of Exchange.

1st. Where a Bill (stated to have been lost or destroyed and of the receipt of which by the Payee there may or may not be evidence) has been issued so much anterior to the outbreak as to admit of its having been presented and discharged in ordinary course.

2nd. Where, from date of issue, it is reasonable to conclude that the draft has been lost or destroyed in transit to the Payee without any possibility of acceptance.

In respect to Bills of the class first mentioned, His Lordship in Council directs that payment should be refused in all cases where ample time has elapsed for the due discharge of a Bill; but if special circumstances exist, the case must be referred for the orders of Government.

In regard to Bills of the second class His Lordship in Council sees no objection to the course suggested by the Accountant General, *viz.*, that on satisfactory evidence being furnished to show that the bill never reached the Payee the Accountant may sanction the refund of the amount by the drawer on the receipt of the remitter, the latter giving sufficient security to protect the Government against loss in the event of a claim being established on the lost bill, the usual Certificate of non-payment from the drawer being dispensed with, if not forthcoming.

The Accountant General further enquires in respect to cases where the Treasury of the drawer as well as that of the drawee has been closed but the bill is produced, whether the bill is to be discharged at the General Treasury Fort William, or at any other Government Treasury at which it may be convenient to authorize its payment, under the special orders in each case of the Accountant to the Government concerned, or whether every case of this description shall be submitted for the consideration of Government. In reference to this enquiry, His Lordship in Council is pleased to determine that the Accountants concerned may determine these cases.

Fort Saint George, Financial Consultation, 29th October 1857.

The Accountant General also submits for the Orders of this Government the particulars of six cases in which applications have been made to him for the payment of the amounts of lost bills of exchange drawn by or on Treasuries no longer in operation and he recommends a refund, under certain conditions, of the amounts of the bills in all the cases, save in that of a bill which was drawn by the Paymaster, Oude, on the General Treasury Fort William, in favor of Assistant Surgeon W. Kendall nearly two months previous to the outbreak in Oude, and the payment of which, the Accountant General leaves to the Government to determine.

On this report, His Lordship in Council is pleased to approve of
No. 5. of 10th Ultimo. a refund being made in the cases mentioned in the Memoranda annexed to the Accountant General's letters noted in the margin, subject to the
No. 9. of 12th Ultimo. conditions therein specified, and in respect to Dr. Kendall's bill, His Lordship in Council authorizes its payment on the guarantee of the Doctor himself.

ORDER.—Ordered, that a copy of the foregoing Resolution be sent to the Accountant General to the Government of India with advertence to his letters noticed above and that the Original papers received from that Officer be returned.

Ordered also, that a transcript be sent to the Military Department with reference to the Extract received from that Department.

Ordered further, that a transcript be sent to the Governments of Bengal, Central Provinces, Madras and Bombay, and the Chief Commissioners of Punjab and Agra.

(A True Extract.)

(Signed) C. HUGH LUSHINGTON,

Secretary to the Government of India.

No. 4. ORDER THEREON, No. 671 ; dated 23rd October 1857.

Ordered to be communicated to the Accountant General.

No 671
Ordered to be comm
municated to the Accountant
General.

Fort St George
23rd October 1857

To the Acct General. Dated 29th