MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT

G.O. No. 1156 Press

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Dated 7-5- 19

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No. 6. Read the following letter from R. B. CHAPMAN, Esq., Officiating Under Secretary to the Government of India; to H. FORBES, Esq., Acting Secretary to the Government of Fort St. George, dated the 11th August 1857, No. 1295.

Sir,

Home Dept. I am directed to transmit for the information of the Right Honorable the Governor in Council, the accompanying copy of a Despatch, No. 87 of 1857, dated the 17th June and of its enclosure, from the Hon'ble the Court of Directors, communicating the general practice which prevails with the Lords Commissioners of Her Majesty's Treasury, in the disposal of the effects of illegitimate persons dying intestate.

(Signed) R. B. CHAPMAN,
Offg. Under Secy. to the Govt. of India.

PUBLIC DEPARTMENT, No. 87 OF 1857.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

We transmit to the packet, for your information and guidance, copy of a letter addressed by Sir Charles Trevelyan to Sir George Clerk, under date the 29th April 1857, which has been forwarded to us from the India Board, having reference to the general practice which prevails with the Lords Commissioners of H. M.'s Treasury, in the disposal of the effects of illegitimate persons dying intestate.

We are, &c.,

London, 17th June 1857. } (Signed) ROSS D. MANGLES.
" F. CURRIE.
and other Directors.

SIR GEORGE CLERK, K. C. S.,

India Board

TREASURY CHAMBERS,
29th *April* 1857.

Sir,

In reply to Mr. Leach's letter of the 22nd instant, requesting to be informed of the course which is usually adopted by this Board with regard to the disposal of the property of illegitimate persons dying intestate, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Commissioners for the Affairs of India, that the general practice of their Lordships in the disposal of the effects of illegitimate persons dying intestate is, to recommend Her Majesty to grant the residue thereof to those persons, who, but for the illegitimacy, would have had a claim thereto according to the Statute of Distribution, after deducting the expenses incurred, and a proportion as the Crown's share, according to the following scale: viz.

When the residue amounts to less than	£	500		1-10th
When the residue amounts to	£	500 and under £	1000	1-8th
When the residue amounts to	£	1000 and under £	5000	1-6th
When the residue amounts to	£	5000 and under £	10000	1-5th
When the residue amounts to	£	10000 and upwards		1-4th

In special cases however in which the deceased may have left an invalid testamentary document, clearly indicating his intentions, consideration is given to the same.

In case the Father of an illegitimate person has not fulfilled the duties of a parent, My Lords deviate from the rule derived from the Statute of Distribution, and give the preference to the Mother or her relations.

In case of a person dying intestate leaving a widow and no known next of kin, My Lords usually permit the widow to retain the estate on payment of the Crown's share, according to the foregoing scale, leaving her responsible for any claim that may be preferred by persons on account of relationship to the deceased.

I am &c.,

(Signed) C. E. TREVELYAN.

(True Copy.)

(Signed) R. B. CHAPMAN,

Offg. Under Secy. to Govt. of India.

No. 62. ORDER THEREON, No. 1156; dated 7th September 1857.

Ordered to be recorded, a similar Despatch having been received direct from the Hon'ble the Court of Directors, and communicated to the Administrator General, for his information, under date 5th August 1857.

(Signed) E. MALTBY,

Acting Chief Secretary.

Rec. F. Cartelyn

No 1156.

Ordered to be recorded, a similar despatch having been received direct from the Honble Court of Directors and communicated to the Administrator General, for his information, under date 5th August 57.

To Judl Consultn 7 Septr 57