M.R.O. 1—39,000—16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 963 Press Mise

17—28

Dated 6 — 8 — 19 87

Not to be folded or roughly handled

No. 17. Read the following Extract from the Proceedings of the Right Honorable the Governor General of India in Council in the Financial Department, under date the 26th June 1857, No. 2613.

Read an Endorsement from the Home Department, No. 869, dated the 3rd Instant, forwarding for consideration and orders, a reference from the Government of Fort Saint George, relative to the transfer by the Administrator General to the East India Company of the proceeds of Estates unclaimed for fifteen years or upwards.

Read also Section 51, Act VIII of 1855.

RESOLUTION.—Section 51, Act VIII of 1855 prescribes that "the net proceeds of all Estates in the official charge of the Administrator General of either of the Presidencies of Fort Saint George or Bombay and which now appear, or shall hereafter appear, from the official books and accounts of the Ecclesiastical Registrar and of the Administrator General of either of those Presidencies, or from the official books and accounts of either of those Officers, to have been in official custody for a period of fifteen years or upwards, without any claim thereto having been made and allowed, shall be transferred and paid to the Sub-Treasurer of the East India Company at Fort Saint George and Bombay respectively, and be carried to the account and credit of the East India Company for the general purposes of Government."

The Government of Fort Saint George enquire whether Promissory Notes belonging to Estates transferred to the East India Company, under the above cited Section, are invariably to be sold by the Administrator General without reference to the loss that may be entailed and the proceeds paid into the General Treasury, or whether such Notes may be tranferred to the Sub-Treasurer, leaving it to that Officer, to wait and sell them at his own discretion or under instructions from the Accountant General, at fair prices as opportunities offer; or whether the Notes are to be retained in the custody of the Sub-Treasurer altogether, the interest accruing thereon from time to time being drawn by him or the Accountant General and placed to the credit of Government.

The practice at Madras has been for the Administrator General to make over such Promissory Notes to the Sub-Treasurer and for him to sell them, placing the proceeds to the credit of the unclaimed Estates.

The practice at Calcutta has been for the Administrator General to dispose of all such papers in his custody and to remit the proceeds to the General Treasury; but the Accountant General to the Government of India observes that Notes made over to the Sub-Treasurer under the Section, may no doubt be retained by him for such time as may appear desirable, with a view to dispose of them to the profit of Government, whose property they become on being transferred by the Administrator General.

The Right Honorable the Governor General in Council, concurs in this view and is accordingly pleased to resolve that in cases in which any portion of the net proceeds is composed of Promissory Notes, those Promissory Notes shall be made over to the Sub-Treasurer and that it will be optional with the Sub-Treasurer to defer the sale of them if the price of Government Securities at the time is such as to render it clearly disadvantageous to Government to dispose of them at once.

ORDER.—Ordered, that a copy of the above Resolution be forwarded to the Home Department for information and for communication to the Governments of Fort Saint George and Bombay, and that the original papers received therefrom be returned.

Ordered, that a copy of the Resolution be forwarded to the Administrator General of Bengal for information and guidance.

Ordered, that a copy of the Resolution be sent to the Accountant General, to the Government of India, and to the Sub-Treasurer, Fort William, respectively, for information and guidance.

(A true Extract.)

(Signed) C. H. LUSHINGTON,
Secretary to the Government of India.

Fort St. George, Judicial Consultation, 11th August 1857.

No. 1002.

Copy forwarded to the Government of Fort Saint George for information and guidance, with reference to Mr. Acting Chief Secretary E. Maltby's letter, No. 551, dated 12th May last.

Copy forwarded to the Government of Bombay for information and guidance.

FORT WILLIAM, *Home Dept.* *The 8th July 1857.*

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

No. 18. ORDER THEREON, No. 963; dated 6th August 1857.

Ordered to be communicated to the Accountant General with reference to his letter of 27th April last, No. 470, and to the Administrator General and to the Auditors of his accounts for their information.

(Signed) E. MALTBY,
Acting Chief Secretary.

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No 963

Ordered that communicated to the Accountant General with reference to his letter of 27th April last No 470, and to the Administrator General and to the Auditors of his accounts for their information.

8th August 1857.

(Signed) E. Maltby

Accountant General
Administrator General
Auditors of 3 Presy accounts

In Canc. 12th May 1857.
et 52058.

Sent Letter to Eyre
24 Dec 31 of 1857.
Paras 4 & 6.

In Ch. Comm: 11th August
Judicial. 1857 Westb.

Extract from the Proceed:
-ings of the Court of Sudr:
in the Testamentary Appeal
No 102

of 8th July.
Rec'd 20 July 1857.

No 1776.

Despatch & Enclosure.

Communicating for enfor-
-mation & guidance &c. the resolu
-tion of the Supreme Govt Dec:
in cases in which any portion
of the net proceeds of Estates banc-
-ferred to the East India Compa-
-ny is composed of Promissory
Notes, those from J. Rotherdale
to be made over to the Pleb-
-Secretary with whom it
will be optional to defer
the sale or not of the
paper of Govt Securities
as the time in each case &
under all circumstances
-tances of the Estate at once.

With an order

C 30 Lady
R Gurney 1776