

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 499	Press
40-41	Mis.
Dated 23 4 1868	

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
for the month of April 1860.*

No. 40. Read the following letter from the Auditors of the Accounts of the Administrator General, to THOMAS PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 17th April 1860.

We have the honor, in compliance with the Order of Government, Judicial Department, No. 409, dated 3rd instant, to submit the following observations on the Administrator General's remarks, at foot of the list of Estates which have been above 15 years in the official custody of his predecessors and himself, a copy of which was furnished to us by that Officer on the 11th instant. Of these Estates, 39 having assets at credit as follows:—

Government Securities.....	Sicca Rupees	10,600	0	0
"	Co.'s	21,400	0	0
Cash.....		3,054	8	4

are admitted to come within the provisions of Section LI of Act VIII of 1855, and will be immediately transferred to Government.

2. The next in importance are those marked thus * aggregating in

Government Securities.....	Sicca Rupees	1,000	0	0
"	Co.'s	4,700		
Cash.....		3,864	8	10

and consist of sums retained to be paid to creditors after closing the Estates but which have not been claimed, in most instances, for a long period. We therefore submit that they fall under No. 3 of Rule III of 8th April 1856, and should be paid into the hands of the Sub Treasurer as deposits.

3. We were inclined to think that the same rule applies to the items marked A, but doubt whether legacies can be treated in the like manner to dividends unclaimed by creditors.

The explanations given regarding the other items appear to us satisfactory, and do not call for special notice.

(Signed) B. CARDOZO,
(") T. E. FRANCK,
*Auditors of the Accounts
of the Administrator General.*

No. 41. ORDER THEREON, 23rd April 1860, No. 499.

Section LI, Act VIII, 1855, enacts that the "net proceeds of all Estates in the official charge of the Administrator General, and which now appear, or shall hereafter appear, from the official books and accounts of the Ecclesiastical Registrar and of the Administrator General 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, and be carried to the account and credit of the East India Company, for the general purposes of Government."

2. The Estates entered in list B, may have been in official charge of the Administrator General for more than 15 years, but not without any claim having been made or allowed. Thus to take the first on the list, payment has been made in the year 1856: In another case, Riordon, where the amount in deposit is very large, 7,000 Rupees in Securities and 279 in cash, payment has been made as recently as February last. It seems to the Government doubtful whether these Estates can be transferred or any other when a claim has been made and allowed within the last 15 years—whether that period must not elapse without any payment before the Estates can be made over to the Sub Treasurer.

3. The opinion of the Advocate General will be taken on this point, and on the other two in the third paragraph of the Auditors' letter. It is observed that he has already, under date 20th May 1856, given his opinion on the question referred to in paragraph 2.

*From Government Solicitor, 21st May 1856,
communicated to Administrator General,
29th idem.*

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No.

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The Administrator General will accordingly transfer & pay to the Sub Treasurer the assets belonging to the 39 Estates coming within the provisions of Section III - Act VIII - 1855. He will likewise deposit with the Sub Treasurer the Cash balances, aggregating Rs. 3864. 8. 10, under Clause 3 - Rule III of 8th April 1856.

2. The Administrator General will also deposit with the Sub Treasurer the Cash balances, aggregating Rs. 3864. 8. 10, under Clause 3 - Rule III of 8th April 1856.

The Administrator General.
" Auditors of his Accts.
" Sub Treasurer.
" Acct. General.

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Judicial Department.

Proceedings of the Madras Government

Read the following letter from the
Auditors of the Accounts of
the Administrator General.
(The letter of 17 April 1860.)

Order thereon 23rd April 1860 to 1899.

Section 1st, Act VIII 1855
enacts that the net proceeds
of all estates in the official
charge of the Administrator
~~General or either of the President~~
~~or Vice-President or Secretary~~
or Treasurer, 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 officers,~~
or from the
official books and accounts
of either of those officers,
to have been in official
custody.

Decided

custody for a period of fifteen years or upwards, without any claim there to having been made and allowed shall be transferred and paid to the Sub-Treasurer ~~of the East India Company at Fort St. George and Bombay respectively~~ and be carried to the account and credit of the East India Company for the general purposes of Government". -

2. - The estates entered in list B may have been in official charge of the Administrator General for more than 15 years but not without any claim having been made or allowed. Thus to take the first one the list payment has been made in the year 1856. In another case, Riordon when the amount in deposit is very large 7000 Rupees in securities and 279 in cash payment has been

seen to the fact ~~that~~ ^{their} estates can be transferred or any other when a claim has been made and allowed within the last 15 years - whether that period must elapse in the ordinary payment before the estates can be made over to the Sub-Treasurer.

been made as recently as February last. - 3. - The opinion of the Advocate General will be taken on this point and on the other two in ~~the kind~~ ^{the kind} of the Auditor's letter. - It is observed that he has already in our date 20 May 1856 given his opinion on the question referred to in para 2 - JP

From Mr Solicitor 21 May 1856
Communicated to Admin per 29 idem

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To the Administrator Genl.
"Auditor of his accounts"
"Government solicitor." } Sep 20

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