

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1919	Press
		~~His~~
183-184		
Dated	26.11.1862	~~11~~

3/3

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
26th November 1862.*

No. 183. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Madras; to the Honorable THOMAS PYCROFT, Chief Secretary to Government, Madras, dated 27th October 1862, No. 164.

I have the honor to acknowledge the receipt of the Proceedings of Government, under the date and number noted in the margin, and to state, that in my opinion the cost of executing process under Act XIII of 1859 cannot be enforced against the party taking out the summons.

2. No provision is made for this purpose in that Act, and I am not aware of the existence of any Law, Regulation, or Act, in force within this Presidency, under which such cost could be enforced or insisted on.

3. In England several Acts exist under which payment of fees can be enforced by Clerks to Justices of the Peace, &c. In the Metropolitan Act provision is made for the taking of regulated fees, for the recovery thereof if not paid, for an account being kept of all fees received, and that the same should be paid quarterly to the Receiver, with provision for the disposition thereof. If legislation on the subject should be contemplated, that Act may be found a useful guide.

No. 184. ORDER THEREON, 26th November 1862, No. 1,919.

Resolved that the necessary steps be taken for bringing before the Council for making Laws and Regulations, a Bill to carry out the views expressed in G. O., 21st ultimo, No. 1,731.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

15.11.15
2.6.17
Proc 21st Oct 1862 Oct 1731
12/19/9, 26th Nov/62

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necessary steps be
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[Signature]
To the Govt. & Board of Directors
of the Bank of India

And 1862 1st Sept
From Govt. Secy to Govt.
To Chief Secy to Govt.

Date 27 October 1862
Recd 28th Nov 62
Proc No 12
A-164

No 2181 Ex 1919 just
26.11.62
Stating that Govt.
Secy is of opinion the
of Executing process under
Act XIII of 1859 cannot
be enforced against the
party taking out the
Summons.

183 & 184

With an Order