

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	446	Press — Mis. —
163-167		
Dated	22. 3.	1918

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
22nd March 1865.

No. 163. Read the following letter from H. E. SULLIVAN, Esq., Acting Civil Judge of Salem, to the Honorable to A. J. ABBUTHNOT, Chief Secretary to Government, Fort Saint George ; dated Salem, 15th February 1865, No. 2.

I have the honor to request that the opinion of the Law Officers of Government may be obtained on the following point, the law referring to it being somewhat obscure.

2. The necessity for making the reference arises out of a suit now pending before me in appeal.

Act XI of 1861 declares that all suits then pending, or which should be instituted before the first day of January 1862, should be tried and determined as if Act XIV of 1859 (Limitation Act) had not been passed.

Section 18 of Act XIV of 1859 exempts all suits, which may be instituted within two years from the date of its passing, from its operation.

Query.—Are these two years grace, reading Act XIV of 1859 and Act XI of 1861 together, to reckon from the date on which the former was actually *passed*, or from the 1st day of January 1862, the date on which the statute actually came *into operation*?

No. 164. ORDER THEREON, 22nd March 1865, No. 446.

The Governor in Council must decline to refer to the Advocate General the questions put in the foregoing letter. The Civil Judge must dispose of them to the best of his judgment, leaving the parties to appeal, if dissatisfied.

(True Extract).

Chief Secretary.

To the Acting Civil Judge of Salem.

Exd. J. H. Burns.

Judicial Deptt
From

Mr. G. B. Smith
of Salem

To
The Chief Clerk to
Government Printing

Dated 15th

February 1865

Feb 2

Submitting a copy

and requesting to obtain
the opinion of the Law

Officers there on.

No 446 of 22 March 1863. The Attorney General
has for in C. must decline to when the
provision put in the proposed letter.
The Civil Judge must disprove
them & the best of his judgment. Having
the provision to appear if disapproved.

JP

WU

To the Ag. Civil Judge of Salem Sept 24/3

Exp R