

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1368	Press Mis.
/	
Dated 1-9-	1966

3/4
Not to be folded or roughly handled

No. 1368.

To THE HONORABLE THE CHIEF JUSTICE OF HER MAJESTY'S
HIGH COURT OF JUDICATURE, MADRAS.

HONORABLE SIR,

In forwarding to you the accompanying copy of a letter from the Under
Secretary to the Government of India,

Dated 9th August 1866, No. 3519.

and of its enclosure, I am directed by
the Governor in Council to request the favor of your causing the required Returns,
in connection with Insolvent Estates, to be furnished to this office, for transmission
to Calcutta.

I have the honor to be,

Honorable Sir,

Your most obedient Servant,

FORT SAINT GEORGE,
1st September 1866.

Secretary to Government.

From the Under Secretary to the Government of India, to the Secretary to
Government, Fort Saint George; dated Simla, 9th August 1866, No. 3519.

Home Department,
Judicial.

I am directed to forward a copy of the papers noted in the margin, and to
request that, with the permission of His
Office Memorandum from Financial Department, No. 1732, Excellency in Council, you will have the
dated 31st July, and enclosure. goodness to obtain from the High Court of Madras, and to forward to this Depart-
ment, the Returns required by the Financial Department.

No. 1732.

OFFICE MEMORANDUM.

SIMLA, FINANCIAL DEPARTMENT, THE 31ST JULY 1866.

In forwarding to the Home Department a copy of a letter from the Prothonotary of the High
Court, Bengal, dated 21st July 1866, proposing the transfer to Government of the balances of cer-
tain old Estates in charge of the Official Assignee, the undersigned is directed to request that
the High Courts, Calcutta, Madras, and Bombay, on the side of original jurisdiction, may be called
upon to submit, 1stly, a Return of dividends from Insolvent Estates, which have been declared for
distribution, but which have remained unclaimed for more than 20 years, and, 2ndly, a Return of
other balances in the hands of the Official Assignee at credit of Insolvent Estates which have been
more than 20 years in his official custody, and which balances are not likely to be divided amongst
creditors.

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

To the Home Department.

From the Prothonotary of the High Court, Bengal, to the Right Honorable W. N. MASSEY ;
dated Calcutta, 21st July 1866.

It has occurred to me, since Act XXV was passed (I am sorry it did not occur to me before),
that the Official Assignee has a very large number of accounts in old Estates with balances at
credit (some of them not inconsiderable), too small now to make a dividend, and therefore too
small to be of use or value to creditors. Such balances appear to me quite to belong to the same
class as the balances to which Act XXV applies, and to be quasi public property. I need say no
more, as my suggestion with reference to them will be obvious to you.

There must, I should think, be similar balances at the other Presidencies, but I am not ac-
quainted with the Insolvency Estates and do not know in whose names they stand, and the aggregate
of all at the three Presidencies must be very considerable.

Exd. J. H. Burns.

despo 5/9

Judicial Departt

No 1360

To the Honble Sir Colley Hannam Scotland &c
Chief Justice of N. H. H. H. Court
of Judicature. Madras.

Honble Sir,

Dated 9th August 66 No 3579.

I am forwarding to you
the accompanying copy of
a letter from the Under
Secretary to the Govt. of
India & its enclosure
and directed by the Govt.
-vernment in Council to re-
-quest the favor of your
concerning the required
Returns in connection
with enclosure stated
to be furnished to the
office for transmission
to be sent.

Wm

For Saint George
1st September 1866

Indian 1866. Department.

No. 1368

The
Secretary

PROCEEDINGS OF GOVERNMENT.

The Chief Justice of the
High Court of Judicature

of India

Dated. 12 September 1866

File-2551.