

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	973	Press
		MIN.
192-193		
Dated	21-6-	1866

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Not to be folded or roughly handled

21st June 1866.

No. 192. Read the following letter from E. C. BAYLEY, Esq., Secretary to the Government of India, to the Secretary to Government, Fort Saint George; dated Simla, 1st June 1866, No. 1424.

Home Department.

I am desired to state, for the information of the Government of Madras, that the Governor General in Council recently informed the Secretary of State for India that the attention of His Excellency in Council had lately been called to certain alleged defects in the Indian Insolvent Act, Statute 11 and 12 Vic., C. 21. The Governor General in Council added his opinion that the Indian Insolvency system could not be effectually amended or altered by Indian Legislation. The Secretary of State, in reply, has requested that a Bill may be prepared in the Legislative Department of the Government of India, and may be forwarded to him, for submission to the British Parliament.

2. In furtherance of the Secretary of State's request, I am to ask the Government of Madras to be good enough to furnish the Government of India with the opinions of those Judges of the High Court at Madras who have had experience in administering the Insolvency Jurisdictions, as to any improvements of which they may consider the Indian Insolvency Act susceptible. The Governor General in Council would especially wish to be informed whether those Judges are of opinion that the provisions of the temporary Act, applicable at present only to Bombay, No. XXVIII of 1865, might be usefully embodied in the new enactment.

3. I am to observe that the proposed statute will, in all probability, not only apply to the Presidency towns, but will be capable of being extended, by order of the Governor General in Council, to other Indian Seaports, and possibly to large inland cities in India.

4. It will oblige the Governor General in Council if these opinions are forwarded to His Excellency in Council with some despatch, as the draft Bill, after having been framed in India, will probably have to be considered in England by the Law Officers of the Crown, before submission to Parliament.

No. 93. To the Honorable Sir C. H. SCOTLAND, Knight, Chief Justice of the High Court of Judicature, Madras; dated Fort Saint George, 21st June 1866, No. 973.

In forwarding the annexed copy of a letter from the Secretary to the Government of India regarding the contemplated amendment of the Indian Insolvent Act, I am directed by the Right Honorable the Governor in Council to request that you will be so good as to favor him, at your earliest convenience, with your opinion on the points indicated in Mr. Bayley's letter.

(Signed) J. D. SIM,
Acting Chief Secretary.

The same to the Honorable Sir A. BITTLESTON, Knight, Judge of the High Court of Judicature, Madras.

Ed. J. H. Burns.

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Judicial Department
No 973.

To the Honble Sir P. B. Scotland, Knight,
Chief Justice of the High Court
of Judicature

Honble Sir,

Dated 1st June 1866 No 1624
with copy of Bombay
Act No XXVIII of 1865

In forwarding the
annexed copy of a letter
from the Secretary to
the Govt. of India re-
-garding the contempla-
-ted amendment of
the Indian Insolvent
Act, I am directed
by the Right Honble
the Governor in Coun-
-cil to request that
you will be so good
as to favor him at
your earliest con-
-venience with your
opinion

Wm

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Fort St George
21st June 1866

21st June 1866

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Laurel 1866. Defiant.

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Mr. Chief Justice

and

Justice Judge of the
High Court.

Laurel 21 June 1866.

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