

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	253	Press
		~~Mis~~
Dated	19-2-1918	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
19th February 1867.*

No. 142. Read the following Proceedings of the Government of India, Foreign Department, dated Fort William, 31st January 1867, No. 23.

Read the correspondence below cited regarding an application from the Trustees for the Estate of Grant, Smith and Company that the Government may be pleased to grant them assistance in recovering from one Mydutt, who has absconded into Bikaner, a sum of Rupees 9449-15-4 on account of a decree issued against him by the High Court at Calcutta:—

From Messrs. Schiller and Moncrieff, dated 11th January 1867.

To Ditto ditto No. 16, do. 22nd idem.

From Ditto ditto do. 24th do.

RESOLUTION.—The Governor General in Council observes that, whatever may have been the custom hitherto in force, equity and the custom of civilised States alike demand that the decrees of Civil tribunals should obtain execution in Foreign territory. His Excellency in Council is therefore pleased to rule that, in every case in which an application for the assistance of the Government may be accompanied by a properly attested copy of the British Court's decree, the influence of the Political Authorities will be brought to bear upon the Native State concerned, with a view to procure execution of the decree. Applications for assistance towards the recovery of debts, which may be presented to the Government, unsupported by any judicial decree, cannot be attended to.

2. In the present case, Messrs. Schiller and Moncrieff, as Trustees for the Estate of Grant, Smith and Company, have duly filed a copy of the High Court's decree; and the Governor General's Agent in Rajpootana will accordingly be instructed to address the Maharajah of Bikaner, calling on His Highness to compel the defaulting debtor to satisfy the decree.

No. 24.

ORDERED that a copy of the above Resolution be forwarded, with a transcript of the correspondence including the Exhibits, to the Agent, Governor General in Rajpootana, for information and guidance.

Ordered, further, that a copy be sent to Messrs. Moncrieff and Schiller, the original papers received from them being returned.

No. 26.

* Home Department, Military Department, Financial Department, and Public Works Department.
Secretaries to Governments, Fort Saint George, Bombay, Bengal, Punjab, and North-Western Provinces.
Chief Commissioners of Oudh, Central Provinces, and British Burmah.
Officiating Commissioner of Mysore and Coorg.
Residents at Hyderabad and Nipal.
Agents, Governor General, for Central India, and the States of Rajpootana.
Political Agent at Munnipore.

Copy also to all Departments,* Governments, Administrations, and Agencies.

(Signed) J. W. S. WYLIE,

Offg. Secy. to Govt. of India.

Ms 255 - 19th February 1867.

communicated to the Honble the
Judge of the High Court to the
Resident in Travancore and
Cochin, to the Political Agent
Pondicherry & to the Collectors
of Bellary & Karnool.

11/11/1911

I am sure the judges
 will be satisfied with
 the work.

Exd. J. Tulloch.

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