

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No / 848

Dated 4th Sept 1895

INDEXED.

[Despatch Abstract.]

FEE FOR TRANSLATION OF PAPERS INTO THE RUSSIAN LANGUAGE.

Communicating to the Hon. the Judges of the High Court, &c., letter from the Government of India requesting that the necessary instructions be issued for the levy of a fee of Rs. 25 to meet the probable cost of translation of papers into the Russian language in each case in which a claim is made to the estate of a British Indian subject who has died in Russian territory ; and ordering the publication in the Fort St. George Gazette of the correspondence on the subject.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1339		1896				
			to 684 91				
			7/4/98				
	CN° 983/98						

Govt. of {1895} Madras. JUDICIAL.

Issued

Recd.

Encl.

G.O., 4th September 1895, No. 1848.

SEPTEMBER.

Fee for Translation of Papers into the Russian Language.

Communicating to the Hon'ble the Judges of the High Court, &c., letter from the Government of India requesting that the necessary instructions be issued for the levy of a fee of Rs. 25 to meet the probable cost of translation of papers into the Russian language in each case in which a claim is made to the estate of a British-Indian subject who has died in Russian territory; and ordering the publication in the *Fort St. George Gazette* of the correspondence on the subject.

4TH SEPTEMBER 1895, No. 1848, JUDICIAL

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again G.O., dated 24th July 1894, No. 1813, Judicial.

READ—also the following paper:—

From L. M. THORNTON, Esq., Deputy Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Simla, the 19th August 1895, No. 13-Public—1223.

In continuation of my letter, No. 13—1180—88, dated the 9th July 1894, I am directed to forward a copy of a despatch from Her Majesty's Secretary of State for India, and to request that, with the permission of His Excellency the Governor in Council, the necessary instructions may be issued for the levy of a fee of Rs. 25 to meet the probable cost of translation of papers into the Russian language in each case in which a claim is made to the estate of a British-Indian subject who has died in Russian territory.

ENCLOSURES.

DESPATCH from the Right Hon'ble Lord GEORGE HAMILTON, Her Majesty's Secretary of State for India, to His Excellency the Right Hon'ble the Governor-General of India in Council, dated India Office, London, 11th July 1895, No. 49, Public.

I forward, for the information of your Excellency in Council, a copy of a correspondence which has taken place between this office and the Foreign Office, and of a despatch * which I have addressed to the Government of Bombay requiring the levy of Rs. 25 in the case of each claim to the estate of a British-Indian subject who has died in Russian territory.

India Office to Foreign Office, dated 10th April 1895.
Foreign Office to India Office, dated 25th June 1895, with enclosures.
India Office to Foreign Office, dated 10th July 1895.
* Despatch to Government of Bombay, No. 8, dated 11th July 1895.

2. I request that similar orders may be issued to the other Local Governments in supersession of the arrangement communicated to your Government in Mr. Fowler's despatch, No. 46, dated 17th May 1894.

J. & P. 554.

SIR,

INDIA OFFICE,
10th April 1895.

I am directed by Mr. Secretary Fowler to request that the Earl of Kimberley will cause the necessary steps to be taken for the recovery of the property of Sawan walad Bhojraj alias Tilo and Sever walad Bhojraj, a native of India, who died in Russian territory.

Political of 1895.

I am to forward copy of a despatch from the Government of Bombay enclosing the documents (duly attested) relating to the case.

I have, &c.,
(Signed) REAY.

The Under Secretary of State for Foreign Affairs.

SIR,

FOREIGN OFFICE,
25th June 1895.

With reference to your letter of 10th April last and previous correspondence, I am directed by the Earl of Kimberley to transmit to you, for the consideration of Mr. Secretary Fowler, a copy of a despatch from Her Majesty's Ambassador at St. Petersburg enclosing a request from the Russian Government that all documents relating to the property of British-Indian subjects said to have died in Russian territory may be accompanied by translations in Russian made by a sworn translator.

His Excellency forwards a memorandum showing a scale of charges for such translations, and, after pointing out the disadvantages of the system hitherto pursued for defraying this expense, he suggests that a sum for the purpose might be paid in advance by every claimant as a preliminary condition to taking up his case.

I am to state that Lord Kimberley will be glad to be favoured with Mr. Fowler's observations on this suggestion.

I am, &c.,
(Signed) T. H. SANDERSON.

The Under Secretary of State, India Office.

No. 154.

MY LORD,

ST. PETERSBURGH,
12th June 1895.

I have the honour to transmit herewith to your Lordship a copy of M. Chichkine's reply to the note which I addressed to His Excellency on the receipt of your Lordship's despatches, Nos. 98 and 101, of April 9th and 16th, respecting the recovery of the property of Sundarmal *alias* Sandal walad Jhamanmal, Chandanmal walad Rang Nomal and Sawan walad Bhojraj, British-Indian subjects, said to have died in Russian territory.

M. Chichkine returns the original documents in support of the claims to the above estates, with the request that the Minister for Foreign Affairs should in all such cases be furnished with translations made by a sworn translator.

From the India Office letter of May 11th, 1894, transmitted to Mr. Howard in your Lordship's No. 122, of the 16th of the same month, I observe that it was decided that the translations of such documents should be made here, the cost to be ultimately defrayed from the proceeds of the estates in question. Owing to the difficulties in connection with the repayment of such sums caused by the long delays usually occurring in the settlement of the claims, as well as by the fact that only a small number of them are brought to a successful issue, the amounts recovered in some instances being hardly sufficient to repay the expenses they entail, I shall be grateful for your Lordship's instructions as to how and by whom the cost of these translations is to be defrayed, pending the possible recovery of the proceeds of the three above-mentioned estates, and of those of Menghrajahas Mangha walad Dhotanmal and Harkashindas walad Jaracand *alias* Kishno walad Jolo—claims forwarded to me in your Lordship's No. 160 of the 28th ultimo.

Mr. Consul-General Michell has furnished me with a memorandum, which I have the honour to enclose, on the scale of charges of the sworn official translator for the translation of documents from English into Russian, and I would suggest for consideration in the proper quarter whether it would be possible to make the payment in advance by the claimant of a sum to be fixed according to the above scale of charges, which would fully cover the expenses here of the necessary translations from English into Russian, a preliminary condition to taking up any case. This would ensure none but *bonâ fide* claims being preferred, and would have the effect of discouraging claims for such small amounts as would barely cover the expenses entailed.

M. Chichkine further informs me in his note that the claim to the property of Grilamnal *alias* Bhai Dilbar, respecting which I was instructed by your Lordship's despatch, No. 98, of April 9th, to make enquiries, has been referred to the Russian Political Agent in Bokhara.

I have, &c.,
(Signed) F. C. LASCELLES.

To the Earl of Kimberley, K.G.

M. L'AMBASSADEUR,

MIN. DES AFF.
ST. PETERSBURGH, le 5/17 Mai 1895.

Par sa note du 20 Avril-2 Mai a.e. V. Exce. a bien voulu adresser au Min. Impl. des documents relatifs à des droits de succession que certains sujets britanniques des Indes ont à faire valoir sur notre territoire. Ces pièces destinées à être présentées à nos tribunaux qui se trouvent appelés à se prononcer sur les droits en question doivent à cet effet être munies de traductions dûment legalisées. En conséquence et vu l'absence de ces traductions dans le dossier ci-joint, j'ai l'honneur de vous les retourner afin que cette lacune puisse être comblée.

Je crois devoir vous informer à cette occasion que si jusqu'à présent le Min. Impérial se chargeait dans certains cas, de faire lui même les traductions exigées par nos lois dans les affaires de succession, ce mode de procéder a été réformé et que, dorénavant, cette obligation incombe aux intéressés qui doivent s'adresser, dans ces occasions, aux traducteurs, assermentés près nos tribunaux.

Quant aux documents qui étaient annexés à votre note du 28 dec. 9 janvier 1894-95 la localité où se trouve ouverte la succession qu'ils concernent était située dans le Boukhara, le Minère. Impl. a cru devoir les communiquer à notre Agent Politique dans ce pays en l'invitant à agir dans la mesure du possible, en vue du règlement de cette succession. En vous informant, &c.

(Signé) CHICHKINE.

MEMORANDUM.

The scale of charges of the sworn official translator for the translation of documents from English into Russian is as follows:—

3s. 4d. (at 9 roubles to the pound).

4s. 5d.

£ 1 6s. 6d.

(1) For papers of a non-technical official nature — 1 rouble 50 copedes per page of ordinary foolscap, size quarter margin..

(2) For papers of a technical official nature — 2 roubles per page of ordinary foolscap, size quarter margin.

The cost of translation of each Indian claim, which will come under the first category of documents, will be about 12 roubles.

(Signed) J. MICHELL.

ST. PETERSBURGH,
12th June 1895.

The above scale does not apply to translations from Indian dialects.

J. & P. 1055.

INDIA OFFICE,
10th July 1895.

SIR,

I am directed to acknowledge the receipt of your letters of the 25th and 27th ultimo, on the subject of a suggestion which has been made by the Russian Government to levy in advance, from persons in British India claiming the estates of British-Indian subjects who have died in Russian territory, the probable cost of the necessary Russian translations. Instructions have been sent to the Indian Governments to levy a sum of Rs. 25 in every such case which may occur hereafter, and the equivalent shall be forwarded to the Foreign Office in each case, to be adjusted in due course along with the balance of the particular estate.

It remains to consider how the five applications referred to in your first letter as having been returned or kept in suspense, and the later application mentioned in your second letter, should be dealt with in regard to the provision of the necessary translations.

The present arrangement was prescribed in May 1894, on the suggestion of Mr. Howard made at the end of his letter dated 9th April 1894. It was communicated to the Indian Governments, and these six applications must all be taken to have been presented with reference to it. The arrangement was that the necessary translations should be made at St. Petersburg under the orders of Her Majesty's Consul and previous to the submission of the papers to the Russian Foreign Office, the cost being ultimately deducted from the proceeds of the estate. I am to say that the Secretary of State for India in Council will be glad if this procedure can be followed in the six cases now in question, and that, in the event of any portion of the cost proving irrecoverable from the particular estate, he will be prepared to make it good from the revenues of India.

I have, &c.,
(Signed) HORACE WALPOLE.

The Under Secretary of State, Foreign Office.

DESPATCH from the Right Hon'ble Lord GEORGE HAMILTON, Her Majesty's Secretary of State for India, to His Excellency the Right Hon'ble the Governor in Council, Bombay, dated India Office, London, the 11th July 1895, No. 8, Public.

I forward, for the information of your Government, a correspondence which has taken place between this office and the Foreign Office in

India Office to Foreign Office, dated 10th April 1895.
Foreign Office to India Office, dated 25th June 1895, with enclosures.
India Office to Foreign Office, dated 10th July 1895.

regard to difficulties which have arisen in carrying out the arrangement mentioned in paragraph 5 of Mr. Fowler's despatch, No. 7, dated 17th May 1894, for providing the necessary Russian translations in connection with claims to the estates of British-Indian subjects who have died in Russian territory.

2. I request that, if your Excellency in Council sees no objection, you will issue the necessary instructions for the levy of Rs. 25 in every such case to meet the probable cost of such translations.

ORDER—dated 4th September 1895, No. 1848, Judicial.

Communicated to the Hon'ble the Judges of the High Court, the Administrator-General and all District Judges and Magistrates, for information and guidance.

2. The correspondence will also be published in the *Fort St. George Gazette*.

(True Extract.)

Chief Secretary.

To the Hon'ble the Chief Justice, with C.L.
" the Administrator-General.
" all District Judges.
" all District Magistrates.

Copy to the Commissioner of Police, Madras Gazette.

Exd. A. Raitt.

INDIA OFFICE ;
London, 11th July 1895.

PUBLIC,

No. 49.

To His Excellency the Right Honourable the Governor General of India in Council.

MY LORD,

I forward, for the information of your Excellency in Council, a copy of a correspondence which has taken place between this Office and the Foreign Office, and of a Despatch* which I have addressed to the Government of Bombay requiring the levy of Rs. 25 in the case of each claim to the estate of a British Indian subject who has died in Russian territory.

India Office to Foreign Office, dated 10th April 1895.

Foreign Office to India Office, dated 25th June 1895, with enclosures.

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I have the honour to be,

MY LORD,

Your Lordship's most obedient, humble servant,

GEORGE HAMILTON.

INDIA OFFICE ;
10th April 1895.

J. & P. 554.

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Political of 1895.

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Your obedient Servant,

REAY.

The Under Secretary of State
for Foreign Affairs.

FOREIGN OFFICE ;
25th June 1895.

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No. 154.

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I have, &c.,

F. C. LASCELLES.

TO THE EARL OF KIMBERLEY, K.G.

MIN. DES AFF.

St. Petersburg.

le 5/17 Mai 1895.

M. L'AMBASSADEUR,

Par sa note du 20 Avril-2 Mai a.c. V. Exce a bien voulu adresser au Min. Impl. des documents relatifs à des droits de succession que certains sujets britanniques des Indes ont à faire valoir sur notre territoire. Ces pièces destinées à être présentées à nos tribunaux qui se trouvent appelés à se prononcer sur les droits en question doivent à cet effet être munies de traductions dûment legalisées. En conséquence et vu l'absence de ces traductions dans le dossier ci-joint, j'ai l'honneur de vous les retourner afin que cette lacune puisse être comblée.

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CHICHKINE.

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The cost of translation of each Indian claim, which will come under the first category of documents, will be about 12 roubles.
£1 6s. 6d.

J. MICHELL.

ST. PETERSBURGH;

12th June 1895.

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J. & P. 1055.

4

INDIA OFFICE;
10th July 1895.

SIR,

I am directed to acknowledge the receipt of your letters of the 25th and 27th ultimo, on the subject of a suggestion which has been made by the Russian Government to levy in advance from persons in British India, claiming the estates of British Indian subjects who have died in Russian territory, the probable cost of the necessary Russian translations. Instructions have been sent to the Indian Governments to levy a sum of Rs. 25 in every such case which may occur hereafter, and the equivalent shall be forwarded to the Foreign Office in each case, to be adjusted in due course along with the balance of the particular estate.

It remains to consider how the five applications referred to in your first letter as having been returned or kept in suspense, and the later application mentioned in your second letter, should be dealt with in regard to the provision of the necessary translations.

The present arrangement was prescribed in May 1894, on the suggestion of Mr. Howard made at the end of his letter dated 9th April 1894. It was communicated to the Indian Governments, and these six applications must all be taken to have been presented with reference to it. The arrangement was that the necessary translations should be made at St. Petersburg under the orders of Her Majesty's Consul and previous to the submission of the papers to the Russian Foreign Office, the cost being ultimately deducted from the proceeds of the estate. I am to say that the Secretary of State for India in Council will be glad if this procedure can be followed in the six cases now in question, and that, in the event of any portion of the cost proving irrecoverable from the particular estate, he will be prepared to make it good from the revenues of India.

I have the honour to be,

SIR,

Your most obedient Servant,

HORACE WALPOLE.

The Under Secretary of State,
Foreign Office.

INDIA OFFICE;
London, 11th July 1895.

Public,
No. 8.

To His Excellency the Right Honourable the Governor in Council,
Bombay.

MY LORD,

I forward, for the information of your Government, a correspondence

India Office to Foreign Office, dated 10th April 1895.
Foreign Office to India Office, dated 25th June 1895, with enclosures.
India Office to Foreign Office, dated 10th July 1895.

which has taken place between this office and the Foreign Office in regard to difficulties which have arisen in carrying out the arrangement mentioned in paragraph 5 of Mr. Fowler's Despatch No. 7, dated 17th May 1894, for providing the necessary Russian translations in connection with claims to the estates of British Indian subjects who have died in Russian territory.

2. I request that, if your Excellency in Council sees no objection, you will issue the necessary instructions for the levy of Rs. 25 in every such case to meet the probable cost of such translations.

I have, &c.,

GEORGE HAMILTON.

G. C. Press, Simla - No. 870 H. D. - 17-8-95. - 290.

1895

Judicial Path

287-4092

No.

13 Public
1223

FROM

L. M. THORNTON, Esq.,

Depy. Secretary to the Government of India,

TO

The Chief Secy. to the Govt. of Madras.

Home Department
Public. 27 AUG 1895

CHIEF SECRETARY
GOVERNMENT OF MADRAS

Simla, the 19 August 1895.

SIR,

IN continuation of my letter No. ¹³/₁₁₈₀ 13, dated the 9th July 1894, I am directed to forward a copy of a Despatch from Her Majesty's Secretary of State for India, and to request that, with the permission of the Governor in Council,

the necessary instructions may be issued for the levy of a fee of Rs. 25 to meet the probable cost of translation of papers into the Russian language, in each case in which a claim is made to the estate of a British Indian subject who has died in Russian territory.

I have the honour to be,

SIR,

Your most obedient Servant,

L. M. Thornton

Depy. Secretary to the Government of India.

1813d 24.7.94 night

June 46 No 1848 d/4th September 1895

CURRENT No. 285
4092
Public Dept

From the Secy. Home

No 13/223

Dated 19 }
Recd 27 } August 95
Rys 24 }
Gene 1 Ltr 75c of the Secy.
Regd. 29.

Subject

Forwarding copy of despatch from the
Secy and requesting that instructions
may be issued for the Secy of No 25. Dmub
The copy of translation of papers into the
Russian language in each case in which
a claim is made to the estate of a British
subject who has died in Russian territory.

To the Hon. Secy. Home
A. S. 3
all L. J. 150
L. J. 170
copy of the Common. of the Secy.
Bay 24/9/95
21/9/95

[G
35]

Done
21/9/95

District and Session
Judge of

North Arcot, Chittoor.	6
South Arcot, Cuddalore.	6
Bellary.	8
South Canara, Mangalore.	10
Chingleput.	6
Coimbatore.	9 1/6
Cuddapah.	6
Ganjam, Berhampore	6
Godavari, Rajahmundry.	10
Kistna, Masulipatam.	6
Kurnool.	6
Madura.	11
North Malabar, Tellicherry.	9
South Malabar, Calicut.	6
Nellore.	6
Nilgiris, Ootacamund.	6
Salem.	6
Tanjore.	6
Tinnevely, Palamcottah.	8
Trichinopoly.	6
Vizagapatam.	7

complete.
only.
complete with letter.

STATEMENT WITH DITEO.

APPROB NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. -

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

Ann No

Date 19
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Regd 28
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Regd 28

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Forwarding copy for
Sqs and requesting that instructions
may be issued for the levy of Rs 25. Direct
the cost of translation of papers into the
Russian language in each case in which
a claim is made to the estate of a British
Indian subject who has died in Russian territory.

To the Hon. Secy. to Govt. C. A. 6
A. S. 3
all N. J. J. 150
N. J. J. 170
copy with Comm. of Govt. Secy.
Bay 24/9/95
dis 21/9/95

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
139

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B. -

- A = Print in full.
- B = Not to be printed.
- P = Print abstract only.
- Q = Print heading only.