

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 912

Dated 4th May 1895

INDEXED.

[Despatch Abstract.]

UNREGISTERED BILLS OF SALE.

Communicating to the Hon'ble the Chief Justice and the Judges of the High Court, the Hon. the Advocate General, the Chamber of Commerce, Madras, and the Madras Trades Association, for remarks, correspondence from the Government of India asking for the opinion of this Government on the question whether any validity should be allowed to--- given as securities except upon condition of their being registered.

BACK PAPERS.

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

FURTHER PAPERS.

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4TH MAY 1895, No. 912, JUDICIAL.

GOVERNMENT OF MADRAS. JUDICIAL DEPARTMENT.

READ—the following paper :—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, the 24th April 1895, No. 5—611, Judicial.

I am directed to forward a copy of a despatch * from Her Majesty's Secretary of State, in which reference is made to the case of a trader in Calcutta, who had given to his bankers by way of security an unregistered bill of sale, which is stated to have been running for a long series of years without the knowledge of the other creditors, and it is requested that the question whether any validity should be allowed to such securities except upon condition of their being registered may be considered.

2. As at present advised, the Governor-General in Council sees no objection to legislation being undertaken with the object of preventing secret assignments by means of bills of sale from acquiring an undue priority over the general creditors of a bankrupt or insolvent assignor, but before taking action in the matter His Excellency in Council will be glad to be furnished at an early date with the opinion of the Government of Madras and that of the Hon'ble the Chief Justice and Judges of the High Court, and of such other authorities and persons as the Governor in Council may see fit to consult on the subject.

ENCLOSURE.

DESPATCH from the Right Hon'ble Mr. H. H. FOWLER, 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, 9th August 1894, No. 25, Legislative.

My attention has been drawn to the case of a Calcutta trader who had given to his bankers by way of security a bill of sale over his entire stock in trade. The bill of sale was never registered and it is stated to have been running on for a long series of years without the knowledge of the other creditors. I request that your Excellency's Government will take into consideration the question whether any validity should be allowed to such securities except upon condition of their being registered.

ORDER—dated 4th May 1895, No. 912, Judicial.

Communicated to the Hon'ble the Chief Justice and Judges of the High Court, the Hon'ble the Advocate-General, the Chamber of Commerce, Madras, and the Madras Trades Association, for favour of remarks.

(True Extract.)

Chief Secretary.

To the Hon'ble the Chief Justice, with C.L.
" Government Solicitor.
" Chairman, Chamber of Commerce, Madras.
" Chairman, Madras Trades Association.

Exd. A. Raitt.

Gobt. of {1895} Madras.
JUDICIAL.

G.O., 4th May 1895, No. 912.

MAY.

Unregistered Bills of Sale.

Communicating to the Hon'ble the Chief Justice and Judges of the High Court, the Hon'ble the Advocate-General, the Chamber of Commerce, Madras, and the Madras Trades Association, for remarks, correspondence from the Government of India asking for the opinion of this Government on the question whether any validity should be allowed to — given as securities except upon condition of their being registered.

Judicial Dept.
CURRENT NO 2188

From, The Govt of India
Home Dept (Jud)

Dated 24th April 1895
Recd 2nd May 1895
Encl: 1 & 7th Sec. of the H. of the Sec.

Reheir

Requesting to be furnished at an early date with the opinion of the Govt of Madras as to the question whether any validity should be allowed to unregistered bills of sale given as securities except upon condition of their being registered.

Ms 3/5.

Order 4 May 1895, No. 912.
P.S.

Communicated to the Hon'ble the Chief Justice and Judges of the High Court, the Hon'ble the Advocate General, the Chamber of Commerce, Madras, the Madras Trades Association, the Attorneys' Association and the Madras High Court Vakil's Association, for favour of remarks.

3/5/95

- To
- The Hon. the C. J. with C. L. 6
 - Govt. Secy. Solicitor 6
 - Chairman, Chamber of Commerce, Madras.
 - Madras Trades Assn.
 - Secy. of the Attorneys' Assn.
 - Secy. Madras H. Court Vakil's Assn.

Ms 3/5/95

(wo)

India Office,
London, 9th August 1894.

Legislative,
No. 25.

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

MY LORD,

My attention has been drawn to the case of a Calcutta trader who had given to his bankers by way of security a bill of sale over his entire stock in trade. The bill of sale was never registered and it is stated to have been running on for a long series of years without the knowledge of the other creditors. I request that your Excellency's Government will take into consideration the question whether any validity should be allowed to such securities except upon condition of their being registered.

I have the honour to be,

MY LORD,

Your Lordship's most obedient humble Servant,

HENRY H. FOWLER.

No. *5 Judicial*
611

FROM

J. P. HEWETT, Esq., C.I.E.,

Offg. Secretary to the Government of India,

TO

*The Chief Secretary to the Government of Madras.*Home Department.
Judicial.

CHIEF SECRETARY
-2 MAY. 1895
GOVERNMENT OF MADRAS
Simla, the 24th April 1895.

SIR,

I AM directed to forward a copy of a Despatch* from Her Majesty's Secretary of State, in which

* No. 25 (Legislative), dated the 9th August 1894.

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on the subject.

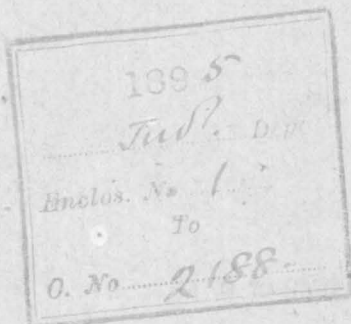
I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Hewett

Offg. Secretary to the Government of India.



First copy sent to Press.

Returned for signature.

Despatched in print.

NUMBER OF COPIES
REQUIRED. { Order complete.
Letter only.
Order complete with Letter.

READ AGAIN G. O., No.
139

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B. -

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