

Legislative (189) Department.

ORDINARY PRINTED.

G.O., No. 27

DATED 6/7 3/88

INDEXED.

[Despatch Abstract.]

Bill to amend the Joint of Land Regulation
of 1804. Long to the Honble member
in charge of the — telegram from
the Rt Honble the Secy of State
stating that it will be necessary
to meet the wishes of the Govt of
India in regard to the basic 88th
Section 2 of the Bill prior
to its introduction.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1899} of Madras. LEGISLATIVE.

Recd.

Regd.

} 1899.

Enclosures

Spare copies

G.O., No. 27, 10th March 1899.

MARCH.

Bill to amend the Court of Wards Regulation V of 1804.

Communicating to the Honourable Member in charge of the — telegram from the Right Honourable the Secretary of State stating that it will be necessary to meet the wishes of the Government of India in regard to the omission of section 29 of the Bill prior to its introduction.

No. 27, LEGISLATIVE, 10TH MARCH 1899.

GOVERNMENT OF MADRAS.
LEGISLATIVE DEPARTMENT.

READ—the following paper :—

Telegram from the Private Secretary to His Excellency the Governor of Madras, to the Secretary to Government, Revenue Department, dated Calcutta, 23rd February 1899.

Following telegram received from Secretary of State—Begins: "My telegram seventeenth January last, Court of Wards. Before introduction of Bill it will be necessary to meet the wishes of Government of India, letter eleventh January last"—Ends. Please take necessary action.

Endt. Mis. No. 892, Revenue.
Transferred to the Legislative Department.

(By order.)

FORT ST. GEORGE,
2nd March 1899.

(Signed) N. E. MARJORIBANKS,
Ag. Under Secretary to Government.

ORDER—No. 27, Legislative, dated 10th March 1899.
Communicated to the Honourable Member in charge of the Bill.
(True Extract.)

H. TREMENHEERE,
Secretary to Government.

To the Hon'ble Mr. H. M. Winterbotham, I.C.S.,

$\frac{0}{18} 4,000 - 18-10-98.$

Legislative
Revenue (1899) Department.

CURRENT No. 1349

Sp. 8 of 31-1-99 Copy

Sel.
From

The Private Secretary to H. E.
the Governor of Madras.
Calcutta

Order Endt. Mis. No. 892.

Transferred to the Legislative
Department.

No. —

(By order.)

N. E. Marjoribanks
ag. Under Secretary to Govt.

Fort St. George,
2nd March 1899.

Dated 23rd February 1899

Received 24th "

Registered 24th insty. 6-3-99.

Enclosures —

Spare copies. —

SUBJECT.

The Legislative Dept. with notes
in original.

W. 27 Lg & 1073/99.

Communicated to the Hon'ble
Member in charge of the Bill.
18399

Furnish a copy of a telegram
from the Secretary of State stating
that it is necessary to meet the
wishes of the Govt. of India
before the introduction of the Court
of Wards' Bill, and requesting
that necessary action may be
taken on the point.

ab
8/3/99
The Hon. Mr. Winterbotham.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT N^o 68
INDIAN TELEGRAPH.

Monthly Local No. 44

To	ms adyar	From	Calcutta
Station		Station	
Words.	58	Day.	23
Hour.	18	Minute.	10
To (Person)	The Hon Mr	From (Person)	P. S. g. madras

g. S. Forbes J. C. S.

Following telegram received from secretary of state begins my telegram sent January last Court of wards before introduction of bill it will be necessary to meet the wishes

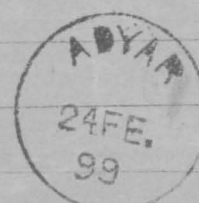
RECD. FROM	L. N.	SENT TO	L. N.
At Hrs.	Mts. By	At Hrs.	Mts. By
Date			



II

of government of india letter eleventh January last ends please take necessary action

in 1867
24-1-99



Current No. 1379 of 1899

From *the Private Secretary to H.E. the Governor.*Dated *23rd February*, 1899.FOR ORDERS.*To the Under Secretary.*

point referred to is about Section 28 of the Draft Bill to amend the Court of Wards Regulation V of 1884. This Section provides that "on the publication of a notification under Section 28 every Civil Court in which any suit against the incapacitated person for the recovery of money is pending shall within one month from the date of such notification forward a copy of the plaint to the Collector and shall also within the said period furnish the Collector with a statement showing approximately the amount, if any, due under decrees the execution of which against the said person is then pending in such Court whether applications for the execution of such decrees had been made or not. x x."

In para 5 of their letter No 1763-133-2 of 26 August 98 the Govt of India states

2149
as they would prefer to see this provision omitted being new & without precedent in other Acts. They again remarked in para 2 of their letter no 60 of 11.1.99 that they were of opinion as strongly as before that the provision was inevitable & ought not to be included in the measure.

FOR ORDERS.

Printed in J.P. 67
24-1-99 E

The section was however retained by the Govt pending the receipt of the remarks of the High Court on the draft Bill. The remarks of the High Court have since been received & the file is now in circulation. The High Court have not said anything about this section.

para 2 of J.P. 67
24-1-99

vide printed copy H.F.

And Mr. Justice Shephard and Mr. Bhaskaran J.P. have told me they agree nothing objectionable

27/1

Orders are solicited as to whether the section should be omitted & the Legislative Deptt informed of this mission or whether the Govt of India should be addressed in the matter. The draft Bill has been published in the Gazette but not introduced into the Legislative Council as yet.

Secy Mr
27/2/99

Edw
24/2/99

How if the section is to be modified or apparently it must be, unless

ment.
Order no.
Letter only.
the J.P. thinks it worth making a representation about, an amendment will be introduced by J.P. when the Bill is taken into consideration

27/1

I think the section is not worth fighting for & may be omitted -

The Bill in its present shape appears to me to be hopelessly unworkable, and as the officer in charge I feel very uncomfortable about it - I trust that I may have an opportunity of speaking to H.E. and H.M. on the subject before March 9th 1900.

28-2-99

Please see draft below.

Edw
13/3/99

Secy Mr
21/3/99

C 28/2/99
R 21/3/99

21/3

ment.

First copy sent to Press.

Returned for signature:

Despatched in print.

Order complete with Letter.

READ AGAIN G.O., No. 189

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DUTY.

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

N.B. —

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

Go 27/10/1901

carefully