

Pension C. No. 509

Government { 1897 } of Madras.
JUDICIAL.



Recd. 18th June
Regd. 18th June } 1897.

Enclosures —

Spare copies —

G.O., No. 792, 4th June 1897.

JUNE.

Chief Clerk, Insolvency Court, and Mr. T. C. Clarke's Pension.

Communicating, with remarks, to the High Court and the Accountant-General a letter from the Government of India expressing its views regarding the post of Chief Clerk of the Insolvency Court and the pension of Mr. T. C. Clarke, late First Assistant Registrar of the High Court, and requesting to be informed of any arrangements which may be made for the re-employment of Mr. Clarke.

Order 2nd July 1897 No. 486-A.

Recorded.

sel

11/17

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following papers:—

G.O., Nos. 1976, 1977, Judicial, dated 11th December 1896.

Read—the following papers:—

G.O., No. 1722, Judicial, dated 2nd November 1896.

From D. W. G. COWIE, Esq., Registrar of the High Court of Judicature, Madras, to the Chief Secretary to Government, dated 18th November 1896, Ref. on Cur. No. 4829.

In reply to G.O., No. 1722, Judicial, dated the 2nd instant, I am directed to state that the High Court regrets the inability of the Government to recommend that Mr. Clarke should be permitted to draw his pension in addition to the pay attached to the office of Chief Clerk of the Insolvency Court. It is somewhat surprising that the Accountant-General should cite the case of Mr. C. Clarke since it has been ascertained that that gentleman is drawing a pension in addition to the pay of the office now held by him. But apart from this the observations made by the Government of India do not seem applicable to the present case and there are, in the opinion of the High Court, strong reasons why article 575 of the Civil Service Regulations should not be applied.

2. Mr. T. C. Clarke did not seek superannuation, nor was he deemed inefficient. On the contrary the High Court was anxious to retain his services and it was only with a view to the abolition of the office of Second Assistant Registrar on the Original Side that he was compelled to retire.

3. As has already been shown in my letter, No. 4829, dated the 10th ultimo, the office of Chief Clerk cannot be conferred on any member of the reduced staff of the High Court. At the same time it is essential for the due conduct of business of the Court that the Chief Clerk should be a man of experience acquainted with the law and practice of the Court. It will be very difficult to secure such a man, having regard to the small pay that can be offered, except from among the pensioned officers of the Court.

4. The Accountant-General expresses a doubt as to whether the office is a pensionable and permanent one or not. The High Court conceives that the office, in so far as it is created by statute and according to statute paid by fees, may be compared with that of the Administrator-General or Official Trustee. The holders of offices belonging to that category are, it is believed, never entitled to a pension. It is difficult to believe that such offices were intended to come within the scope of article 575 of the Civil Service Regulations as belonging to the general service. Whatever construction the Government may put upon this phrase, the High Court hopes that in this instance, having regard to the exigencies of the case and the smallness of the pension to which Mr. Clarke is entitled, he may be allowed to draw it in addition to the salary of his appointment.

5. In conclusion with regard to the permanence of the office of Chief Clerk, I am to say that the High Court would have no objection to making the appointment a temporary one limiting Mr. Clarke's tenure to a term of years.

Order—No. 1976, Judicial, dated 11th December 1896.

The Government of India will be addressed.

(True Extract.)

(Signed) A. T. ARUNDEL,
Ag. Chief Secretary.

To the Hon'ble the Chief Justice (with C.L.).

Letter—No. 1977, Judicial, dated 11th December 1896, to the Secretary to the Government of India, Home Department.

In continuation of my letter, No. 1723, Judicial, dated 2nd November 1896, I am directed to lay the following matter before the Government of India for its orders.

2. In August last Mr. T. C. Clarke, First Assistant Registrar of the High Court, who attained the age of 55 on the 23rd June 1895, applied to Government for a further extension of service. In forwarding his petition the Hon'ble the Chief Justice remarked that as Mr. Clarke's pension would be very small, he hoped that Government would in some way compensate a deserving officer for the loss of his appointment. The Government accordingly, in the absence of a recommendation by the Chief Justice, declined to grant Mr. Clarke the extension prayed for and observed at the same time that it regretted it was unable to move the Secretary of State to grant him an enhanced pension. Mr. Atkinson, the Second Assistant Registrar, was subsequently appointed by the High Court as Assistant Registrar of the Court under the reorganization scheme.

3. In September the High Court represented to this Government that a Chief Clerk of the Insolvent Court, though not provided for in the reorganization scheme, was indispensably necessary, and proposed to appoint Mr. T. C. Clarke to the post. The opinion of the Accountant-General was taken as to whether article 575, Civil Service Regulations, applied to the post in question, and upon his replying in the affirmative and quoting as his authority the Government of India's letter, No. 2470-P., Finance and Commerce, dated 24th May 1895, the High Court was informed that the Government of India would be moved to sanction the appointment of a Chief Clerk of the Insolvent Court on Rs. 250 *per mensem*, but that Mr. Clarke if appointed to the post would not be able to draw both the pay attached to it and his superannuation pension as well.

4. In its telegram, dated 25th November last, the Government of India has sanctioned the creation of the appointment.

5. The High Court has meanwhile, in its letter of 18th November, of which I enclose a copy, again raised the question whether the post of Chief Clerk belongs to the general service and whether therefore article 575, Civil Service Regulations, applies to it. It is upon this question that I am to solicit the instructions of the Government of India.

(Signed) A. T. ARUNDEL,
Ag. Chief Secretary.

G.O., No. 578, Judicial, dated 24th April 1897.

ABSTRACT.—Communicating to the Honourable the Judges of the High Court the temporary sanction of the Secretary of State to the appointment of a Chief Clerk for the Insolvency Court on Rs. 250 a month, and requesting them to furnish certain information called for regarding the duties of the Registrars.

READ—also the following paper:—

From L. M. THORNTON, Esq., Deputy Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, the 20th May 1897, No. 639.

I am directed to acknowledge the receipt of your letter, No. 1977, dated the 11th December 1896, and, in reply, to say that the Governor-General in Council is of opinion that the post of Chief Clerk of the Insolvency Court at Madras is an appointment belonging to the general service.

2. Mr. T. C. Clarke, late First Assistant Registrar of the High Court at Madras, whose case has given rise to the reference under reply, appears to have suffered some hardship by his compulsory retirement owing to the abolition of his former appointment, and I am to say that the Government of India are prepared to allow his pension to be specially treated as being substantially a compensation pension which does not bar his re-employment in Government service subject to the rules in article 569, Civil Service Regulations. I am to request that, with the permission of the Governor in Council, the Government of India may be informed of any arrangements which may be made for his re-employment in order that a report regarding the case may be made to the Secretary of State.

ORDER—No. 792, Judicial, dated 4th June 1897.

Communicated to the Hon'ble the Judges of the High Court and the Accountant-General.

2. The Accountant-General will be requested to be so good as to state the amount of pension to which Mr. Clarke is entitled for his service as First Assistant Registrar, High Court.

3. From paragraph 4 of Mr. Cowie's letter, Ref. on Cur. No. 4829, dated 18th November 1896, it is understood that the Hon'ble the Judges do not desire that the appointment of Chief Clerk of the Insolvency Court should be made pensionable.

(True Extract.)

A. M. Thambusamy.

for Chief Secretary.

To the Hon'ble the Chief Justice (with C.L.).

„ Accountant-General.

„ Pension Department.

Exd. C. M. Thambusamy.

Government (1897) of Madras.

JUDICIAL.

Recd.

Enclosures

1897.

Regd.

Spare copies

G.O., No. 578, 24th April 1897.

APRIL.

Chief Clerk for the Insolvency Court.

Communicating to the Honourable the Judges of the High Court the temporary sanction of the Secretary of State to the appointment of a — on Rs. 250 a month, and requesting them to furnish certain information called for regarding the duties of the Registrars.

It may be pointed out that the Insolvency Court fees annually credited to Government far exceed in amount the sum which the Government has been paying on account of salaries of clerks attached to that Court and that even with the additional charge of Rs. 250 a month a handsome surplus will still remain. A statement showing the amount received and the amount paid by Government during the last five years is sent herewith:—

Statement showing the fees received by stamps and the expenditure.

GOVERNMENT OF MADRAS.				
JUDICIAL DEPARTMENT.				
Years.	Fees received.	Expended by Government.	Balance.	
	RS. A. P.	RS. A. P.	RS. A. P.	
1891	6,252 2 0	1,248 0 0	5,004 2 0	
1892	6,414 11 0	1,248 0 0	5,166 11 0	
1893	10,606 6 0	1,248 0 0	9,358 6 0	
1894	9,840 0 0	1,248 0 0	8,592 0 0	
1895	10,753 3 0	1,248 0 0	9,505 3 0	

Read—again the following papers:—

G.O., Mis. No. 1576, Judicial, dated 1st October 1896.

Read—the following papers:—

From D. W. G. COWIE, Esq., Registrar of the High Court of Judicature, Madras, to the Chief Secretary to Government, dated 11th September 1896, Ref. on Cur. No. 4829.

I am directed by the Honourable the Chief Justice and Judges to request you to bring the following recommendations with respect to the office of Chief Clerk of the Insolvency Court before His Excellency the Governor in Council and to ask that the decision of the Government may be communicated to the High Court at a very early date as the existing arrangement for the discharge of the Chief Clerk's duties must come to an end on the 30th instant.

2. In consequence of the abolition of the office of Registrar, Original Side, which carried with it the office of Chief Clerk in the Insolvency Court, it has become necessary to appoint a Chief Clerk in the place of Mr. Stevenson and to make provision for his salary. For the last few months the work of the Chief Clerk has been done by Mr. Clarke, Assistant Registrar, who however is compelled to retire on the 30th September 1896. Having regard to the reduction of the staff in the Registry of the High Court coupled with the increase of work occasioned by the appointment of a sixth Judge, the Chief Justice is of opinion that no additional work can be imposed on the Registrar or any of his subordinates, other than Mr. Clarke, and the Judges of the High Court, in whom jointly with the Chief Justice, the appointment of a Chief Clerk is vested under the Statute, agree with him in this opinion.

The Chief Justice and Judges are prepared to retain Mr. Clarke in the appointment and they are of opinion that he should receive a salary of Rs. 250 a month.

3. Under the Statute provision is made for the remuneration of the officers of the Court by fees, and until 1863 the Chief Clerk received his remuneration in that form. He had, in addition, a grant from Government of Rs. 218-4-0 per mensem out of which he was required to pay his clerks and all office expenses. In the year 1863, however, it was arranged that the fees collected under the Act should be credited to Government and that the Registrar, Original Side, should be appointed Chief Clerk. In effect the Government in consideration of the fees thus credited undertook to provide a salary for the Chief Clerk and this obligation must subsist as long as the fees continue to be diverted from their original object.

4. The arrangement of 1863 having been rendered impracticable by the abolition of the office of Registrar and there being no person in the Registrar's office available for the work, the Chief Justice and Judges are compelled to ask the Government to provide a separate salary for an officer whom they are ready to appoint.

5. It may be pointed out that the Insolvency Court fees annually credited to Government far exceed in amount the sum which the Government has been paying on account of salaries of clerks attached to that Court and that even with the additional charge of Rs. 250 a month a handsome surplus will still remain. A statement showing the amount received and the amount paid by Government during the last five years is sent herewith:—

STATEMENT showing the fees received by stamps and the expenditure.

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1893	10,606 6 0	1,248 0 0	9,358 6 0	
1894	9,840 0 0	1,248 0 0	8,592 0 0	
1895	10,753 3 0	1,248 0 0	9,505 3 0	

Telegram from the High Court, dated 28th September 1896, No.—.

Order—Mis. No. 1576, Judicial, dated 1st October 1896.

The following telegram will be despatched to High Court, Madras:—

"578. Registrar's letter, 4829, eleventh September. Government regrets that necessity for separate clerk, Insolvent Court, was not foreseen when reorganisation scheme was prepared, but is now willing move Government of India sanction appointment on Rs. 250. Before doing so points out that article 575. Civil Service Regulations, precludes Mr. Clarke from drawing pension in addition salary if this was intended. Please wire reply."

(True Extract.)

(Signed) A. T. ARUNDEL,
Ag. Chief Secretary.

G.O., Mis. No. 1722, Judicial, dated 2nd November 1896.

Read—the following papers:—

From the Registrar, High Court of Judicature, dated 10th October 1896, Ref. on C. No. 4829.

ABSTRACT.—Observing that article 575 of the Civil Service Regulations is inapplicable in the case of Mr. Clarke as his new appointment of Chief Clerk in the Insolvency Court is not one in the "General Service".

From the Accountant-General, Madras, dated 20th October 1896, No.I.A.E.—333.

ABSTRACT.—Expressing his opinion regarding the applicability of article 575 of the Civil Service Regulations to the appointment of Mr. T. C. Clarke as Chief Clerk of the Insolvency Court, Madras.

Order—Mis. No. 1722, Judicial, dated 2nd November 1896.

The Government of India will be requested to sanction the appointment of a Chief Clerk of the Insolvent Court on a salary of Rs. 250 per mensem.

2. The letter from the Accountant-General will be communicated to the Hon'ble the Judges of the High Court with the remark that in view of the principle enunciated

by the Government of India in paragraph 2 of its letter, No. 2470 P, dated the 24th May 1895, His Excellency in Council regrets that he is unable to recommend that Mr. Clarke should be permitted to draw pay as Chief Clerk in addition to pension.

(True Extract.)

(Signed)

A. T. ARUNDEL,
Ag. Chief Secretary.

To the Hon'ble the Chief Justice (with C.L.).
" Accountant-General.

Letter—Mis. No. 1723, Judicial, dated 2nd November 1896, to the Secretary to the Government of India, Home Department.

With reference to the correspondence ending with Mr. Hill's endorsement No. 48, dated 14th January 1896, forwarding copies of despatches to and from the Right Honourable the Secretary of State on the subject of the revision of the establishment of the High Court, I am directed to state that the Hon'ble the Chief Justice and the Judges propose to appoint a Chief Clerk in the Insolvency Court on a salary of Rs. 250 per mensem.

2. Prior to 1863 there existed a separate Chief Clerk of the Insolvent Court drawing a salary of Rs. 218-4-0 per mensem besides fees which averaged about Rs. 350 a month. But in that year this office was abolished, the fees were ordered to be credited to Government and the duties of the Chief Clerk were amalgamated with those of the Registrar, Original Side.

3. The Hon'ble the Chief Justice and the Judges now represent that in consequence of the abolition of the office of Registrar, Original Side, it has become necessary to appoint a Chief Clerk of the Insolvent Court, as in their opinion no additional work can be imposed upon the Registrar or upon any of his subordinates. They report indeed that unless the appointment is sanctioned the work of the Insolvency Court cannot proceed.

4. Paragraph 8 of the Letters Patent of 1865 authorises the Chief Justice to appoint such officers as shall be found necessary for the administration of justice and the due execution of all the powers and authorities granted and committed to the High Court by the said Letters Patent, all appointments so made by the Chief Justice being subject to the approval of the Governor in Council; and paragraph 18 of the same Letters constitutes one of the Judges as the Insolvent Court. The appointment of Chief Clerk therefore appears to be subject to the approval of the Local Government notwithstanding the fact that section 4 of 11 Vic., Cap. 21, empowered the "Supreme Court" to appoint such persons as might be necessary to transact the business of the Insolvent Court.

5. Although it is thus within the powers of this Government to sanction the proposed appointment, yet as the necessity for it is a result of the reorganisation of the establishment which has only recently been sanctioned by the Secretary of State, His Excellency the Governor in Council considers it fitting to obtain the previous consent of His Excellency the Governor-General in Council to the step. It is to be regretted that the Hon'ble the Judges did not foresee the necessity for the appointment when preparing the reorganisation scheme.

6. I am to enclose a statement showing the receipts and expenditure of the Insolvent Court during the last five years. From this it will be seen that the proposed additional expenditure will be more than covered by the fees.

7. In conclusion I am to request that this matter may be treated as very urgent and that the orders of the Government of India may be communicated by telegram.

(Signed)

A. T. ARUNDEL,
Ag. Chief Secretary.

G.O., Mis. No. 1939, Judicial, dated 7th December 1896.

Read—again G.O., No. 1722, Judicial, dated 2nd November 1896.

Read—also the following paper:—

Telegram from the Secretary to the Government of India, Home Department, to the Chief Secretary to the Government of Madras, dated Calcutta, 25th November 1896.

No. 1482, Judicial. Your letter, No. 1723, and telegram, No. 671, dated respectively, the 2nd and 18th instant. Governor-General in Council sanctions the appointment of a Chief Clerk of the Insolvency Court, Madras, on a salary of Rs. 250 a month.

Order—Mis. No. 1939, Judicial, dated 7th December 1896.

Communicated to the Hon'ble the Judges of the High Court and to the Accountant-General.

(True Extract.)

(Signed)

A. T. ARUNDEL,
Ag. Chief Secretary.

To the Hon'ble the Chief Justice (with C.L.).
" Accountant-General.

G.O., Nos. 1976, 1977, Judicial, dated 11th December 1896.

ABSTRACT.—Referring to the Government of India the question whether article 575 of the Civil Service Regulations applies to the appointment of Chief Clerk of the Insolvent Court.

G.O., Mis. No. 57, Judicial, dated 15th January 1897.

Read—again the following papers:—

G.O., Nos. 1722, 1723, Judicial, dated 2nd November 1896.

" Mis. No. 1939, Judicial, dated 7th December 1896.

Read—also the following paper:—

From R. NATHAN, Esq., Officiating Under Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Calcutta, the 30th December 1896, No. 1639.

With reference to your letter, No. 1723, dated 2nd November 1896, I am directed to confirm the telegram from this department, No. 1482, dated 25th November 1896, conveying sanction to the appointment of a Chief Clerk in the Insolvency Court at Madras on a salary of Rs. 250 a month. The new appointment forms an addition of one clerical appointment to the revised list of appointments given in paragraph 3 of the Government of India's Finance and Commerce despatch to the Secretary of State, No. 278, dated the 2nd October 1895.

2. I am to add, with reference to paragraph 4 of your letter, that provisions of law authorising the appointment of officers, such as those alluded to in your letter, do not affect the rules and powers of sanction prescribed by the Government of India and the Secretary of State in the exercise of their statutory powers of control.

Order—Mis. No. 57, Judicial, dated 15th January 1897.

Recorded.

(True Extract.)

(Signed)

J. F. PRICE,

Chief Secretary.

To the Accountant-General.

„ Hon'ble the Chief Justice (with C.L.).

READ—also the following paper:—

From L. M. THORNTON, Esq., Deputy Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, the 9th April 1897, No. 424.

In continuation of the letter from this department, No. 1639, dated the 30th December last, I am directed to forward a copy of the correspondence * with Her Majesty's Secretary of State on the subject of the appointment of a Chief Clerk on Rs. 250 a month for the Insolvent Court, Madras.

* Despatch to the Secretary of State, No. 16 (Financial), dated the 13th January 1897.
Despatch from the Secretary of State, No. 5 (Judicial), dated the 18th February 1897.

2. It will be seen that His Lordship makes certain remarks in regard to the duties falling on the Registrars and that he directs that, pending an explanation of the points noticed in paragraphs 2 and 3 of his despatch, the new post of Chief Clerk should be regarded as temporary and subject to revision.

3. I am to request that, with the permission of the Governor in Council, the explanation called for in paragraph 4 of the Secretary of State's despatch may be obtained and forwarded to the Government of India for transmission to His Lordship.

ENCLOSURES.

Despatch from the Right Honourable the Governor-General of India, Finance and Commerce Department (Salaries, Establishments, &c.—Law and Justice), to the Right Honourable the Secretary of State for India, dated Calcutta, the 13th January 1897, No. 16.

We have the honour to forward, for your Lordship's information, a copy of the correspondence with the Government of Madras entered in the annexed schedule regarding the appointment of a Chief Clerk for the Insolvent Court on a salary of Rs. 250 a month.

2. Prior to the year 1863 there was a separate Chief Clerk of the Insolvent Court drawing a salary of Rs. 218-4-0 a month besides fees averaging about Rs. 350 a month. In that year the appointment was abolished, the fees were credited to Government and the duties of Chief Clerk were amalgamated with those of the Registrar, Original Side. Under the scheme of re-organization sanctioned in your Lordship's Judicial despatch, No. 48, dated the 21st November 1895, the appointment of Registrar on the Original Side has been abolished, a Deputy Registrarship being substituted for it, and the number of Assistant Registrars has been reduced from two to one. The Judges of the Madras High Court represent that in consequence of these reductions in establishment it has become necessary to appoint a Chief Clerk of the Insolvent Court, as the work of this office cannot be imposed up on the Registrar or any of his present subordinates. The Government of Madras support the proposal.

3. For a complete understanding of the case, it is necessary to make some remarks on the history of the re-organization.

Vide enclosure to Finance and Commerce despatch to the Secretary of State, No. 113, dated the 6th April 1886.

In their letter No. 585, dated the 27th February 1885, the High Court of Madras proposed, among other reforms, that the Insolvent work, or the greater portion

of it, should be made over to the Court of Small Causes. As observed in paragraphs 11 * and 12 of the Finance Committee's note of 1886 on the Madras High Court, the proposal was that if the Original Side were relieved of work in the above and

* Vide page 394 of Home Department (Judicial) Proceedings for March 1887.

certain other ways, one of the Registrars should be replaced by a Deputy Registrar. The proposal to confer on the Presidency Small Cause Court at Madras jurisdiction in suits of a nature not then cognizable by it (other than testamentary, matrimonial and maritime) was approved in Lord Cross's Judicial despatch, No. 4, dated the 9th January 1890, and provision was made in the original draft of the Bill for authorizing the transfer of certain jurisdiction from the High Court of Judicature at Madras to the Court of Small Causes of Madras for the transfer of Insolvency jurisdiction. Subsequently, however, on consideration of the objections taken to it by the High Court of Madras, the provision referred to was omitted, and in the Madras City Civil Court Act VII of 1892 (section 3), it was expressly enacted that the powers of the Court for the Relief of Insolvent Debtors should not be vested in the City Civil Court. But the fact that the proposed reduction of the Insolvent work of the High Court, which formed an integral part of the original scheme for reducing the establishment on the Original Side of the Court, had been abandoned, appears to have escaped notice when that scheme was again brought forward and submitted to your Lordship in 1895. The scheme having been brought into effect, it has now been found that sufficient provision has not been made for the work of the Insolvent Court.

4. The proposal submitted by the Government of Madras appears to us under these circumstances to be justified, and we have therefore sanctioned it. We report the matter for your Lordship's information and trust that your Lordship will approve our action. The new appointment makes an addition of one clerk on Rs. 250 a month to the revised establishment detailed in paragraph 3 of our Finance and Commerce Department despatch, No. 278, dated the 2nd October 1895.

No. 111-Ex.

Copy forwarded to the Home Department for information.

(By order.)

(Signed)

R. M. DANE,

Dy. Secy. to the Govt. of India.

Despatch from the Right Hon'ble Lord GEORGE HAMILTON, Her Majesty's Secretary of State for India, to His Excellency the Right Honourable the Governor-General of India in Council, dated India Office, London, 18th February 1897, No. 5 (Judicial).

I have had under consideration in Council the letter of your Government, No. 16, dated the 13th ultimo, in which you report that you have sanctioned the appointment of a Chief Clerk, on Rs. 250 a month, for the Insolvent Court, Madras.

2. As pointed out in that letter, it was one of the conditions upon which the scheme for the re-organisation of the Registrars' offices was framed that a large part of the insolvent work should be transferred to another tribunal. That condition has not, so far, been fulfilled, and it is therefore true that there is a considerable amount of work for which no provision had been made. The measure of that work is the difference between the business which devolves on the Chief Clerk in connection with all the insolvent cases, and that which he would have had to perform in connection with the more important cases which it was never in contemplation to remove out of the High Court. It was intended that the Deputy or Assistant Registrar on the Original Side should act as Chief Clerk in respect of these more important cases. The business connected with petty insolvencies may be substantial, but probably involves more of routine than responsibility.

3. And, on the other hand, there is another integral part of the re-organisation scheme in abeyance, the postponement of which has, for the time, saved the Registrars from much responsible work which they were expected to perform. It was intended to impose upon them all the duties now discharged by the Clerk of the Crown, which would properly be entrusted to a ministerial officer. It seems reasonable that the work which the Registry has avoided by the temporary continuance of the Clerk of the Crown, should be set off against that which has been unexpectedly incurred in consequence of the City Court not having as yet been invested with any insolvency jurisdiction.

4. I request that your Excellency in Council will obtain from the High Court of Madras an explanation upon this aspect of the question. In the meanwhile the new post of Chief Clerk must be regarded as temporary and subject to revision.

ORDER—No. 578, Judicial, dated 24th April 1897.

Communicated to the Honourable the Judges of the High Court with the request that the explanation called for by the Right Honourable the Secretary of State may be furnished.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Hon'ble the Chief Justice (with C.L.).
„ Accountant-General.