

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1876

Press
~~Mis.~~

247-248

Dated

15 - 10 - 1869.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
15th October 1860.*

No. 247. Read the following letter from M. CROSS, Esq., and C. RUNGANADUM SASTRI, Judges of the Madras Court of Small Causes, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 2nd October 1860, No. 177 :—

SIR,

1. We have the honor to request that Government will be pleased, under the circumstances hereinafter mentioned, to reconsider our letter of the 26th ultimo, and the order thereon dated the 29th ultimo, No. 1,746.

2. By the rules and practice of the Madras Court of Small Causes, the Chief Clerk and Bailiffs are bound to grant receipts, the former for all sums of money paid into Court by Suitors as fees, or commission, or on any account whatsoever, and the latter for all sums of money received by them under Warrants entrusted to them for execution.

3. By Section XV of Act XXXVI of 1860 (quoted in margin) it becomes imperative upon the Chief Clerk and Bailiffs of the Court to give receipts, bearing the proper Stamps indicated by the Act, an expense which will have to be charged against the monies payable to Government from the General Fund of the Court.

XV.—Every person receiving payment of any sum of money, the receipt for which under this Act requires a stamp, shall, if required, give a receipt bearing the proper stamp indicated by this Act, and shall bear the expense of furnishing the same, and in case of refusal shall be liable to a penalty not exceeding one hundred Rupees. The expense of providing the stamp of all Bills of Exchange, Letters of Credit, Drafts, Cheques, on Bankers or others, Promissory Notes, and other orders and obligations for the payment of money made or drawn in the British Territories in (India not being Bonds or Instruments or Writings bearing the attestation of one or more Witnesses) shall be borne by the person making or drawing the same.

4. We therefore respectfully submit that Receipts or discharges, given by the Chief Clerk and Bailiffs as public Officers in their public capacity, should come under the general exemption at the end of Schedule A of Act No. XXXVI of 1860.

No. 248. ORDER THEREON, 15th October 1860, No. 1,876.

On further consideration the Government are of opinion, with the Judges of the Court of Small Causes, that Receipts granted by the Chief Clerk and Bailiffs, for sums of money paid into Court by Suitors or recovered by Warrants, come within the exemption at the end of Schedule A of Act XXXVI of 1860 and that therefore Stamps are not required.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Rev. Dep^y

No. 1876

Proceedings of the Madras Government

Under date the 15th October 1860

Read the following letter from
the Judges of the Madras Court
of Small Causes.

Requesting that, under the
circumstances mentioned, their
letter of the 26th Ultimo & the order (Hers enter 2nd Oct^r 1860 atⁿ 144)
thereon dated the 29th Ultimo atⁿ
1446, may be reconsidered

On further consideration
the Gov^t are of opinion, with the
Judges of the Court of Small
Causes, that Receipts granted by
the Chief Clerk & Bailiffs, for
sums of money paid into Court
by suitors or recovered by ex-
Warrants, come within the exemp-
tion at the end of Schedule A of
Act XXXVI of 1860 and that therefore
Stamps are not required.

[Signature]

Copy to the Judges of the Madras
Court of Small Causes. D^y 15

Stamps not required for receipt
granted by the Chief Clerk
and Bailiffs of the S. C. Court

29th Sept 1860
2157-12

Revenue 1860-1861
No: of Govt for October

2157/6

Pro: of the Madras Govt
215th October 1860

Observing that stamps
are not required for the
receipts granted by the
Chief Clerk and Bailiffs
for money paid into Court
by suitors or recovered
by Mandator

Ms 247 + 24

Rev
2157/6

Pro: of the Madras Govt
215th October 1860