M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2481 — Press Mis.

304-305-

Dated 25-11-1926.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 25th November 1862.

No. 304. Read the following letter from J. MILLER, Esq., Acting Government Solicitor, Madras, to C. G. MASTER, Esq., Deputy Secretary to Government, Revenue Department, dated Madras, 14th November 1862, No. 499:—

SIR,

Dated 12th November 1862, No. 2,392, Revenue Department.

1. I have the honor to acknowledge the Proceedings of Government noted in the margin.

2. I have submitted the same for the consideration of the Advocate General, and now forward a copy of his opinion thereon.

COPY OPINION.

1. It is quite true, as the Collector of Madras says, that Clause 2, Section XVII of Act X of 1862, requires the Court to pay over the money so received (*i.e.* the amount of penalties paid into Court) to the Collector, or to such person as he may appoint to receive the same, but it is no less true that Section XV of the 24th and 25th Vict. Cap. CIV, and Act XX of 1862, authorize the High Courts of Judicature to prepare and settle tables of fees, which, the Acts say, shall be used and observed in the said Courts, when sanctioned by the Governor in Council; and the tables of fees have been so sanctioned.

2. The Charter of the late Supreme Court gave similar power to that Court, with the concurrence of the Governor in Council, which was duly given to the old table of fees, dated 5th August 1847.

3. I am therefore of opinion that the fee of 2½ per cent. under the old table of fees, until superseded by the new table, and the fee of 2 per cent. under the new table, is legally claimable by Mr. Ritchie.

(Signed.) T. SYDNEY SMYTH,
Advocate General.

November 14th, 1862.

(True Copy.)

(Signed.) JOHN MILLER,
Acting Government Solicitor.

No. 305. ORDER THEREON, 25th November 1862, No. 2,481.

Communicated to the Board of Revenue, with reference to their Proceedings dated 29th October last, No. 7,150.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

12 Novr 1862 No 2392

Rev. 1862. Oct 4th
Proj. Govt for Ls. 5157.
From
The Actg. Govt Solicitor
Madras.
To
The Secretary to Govt
Revenue Department
Madras

Dated 14th
Recd 15th November
No 499.
1 Enclosure
No

Forwards with reference to Proceedings of Government in its Revenue Department dated 12th November 1862 No 2392 Copy of Advocate General's Opinion as to the right of the Registrar of the High Court to Commission on Duties and penalties levied by that Court under the provisions of Clause II. Sect: XVII of Act X of 1862.

No 2481. 25 Nov

William Arden

No 304 & 305.

No 2481.

Communicated to the Board of Revenue with reference to their Proceedings of 29 October last No 7150.

JJ

1 Govt
25 Nov 62
11 Copies to the Bd of Revenue

There seems to be no help for this, till the Fee System is abolished. SDS