

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. / 80 /

Press
Mis.

252-53
Dated

18 - 11 - 1820

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
18th November 1870.*

No. 252. Read the following Endorsement of the Chief Secretary to Government of Fort Saint George, Judicial Department, dated 10th November 1870:—

Read the following Proceedings of the Government of India, Financial Department, dated Simla, 27th October 1870, No. 441.

Read the following documents:—

Memorandum from Home Department, No. 136-F, dated 4th August 1870, transferring for disposal two letters from the Government of Bombay, Nos. 2,137 and 2,153, dated 10th June 1870; the latter referring a question regarding a register of process fees leviable, under the Court Fees' Act of 1870, in the Courts of District Judges and in Small Cause Courts, and the former submitting a proposal respecting the mode of refunding fees on Suits instituted in the Small Cause Court at the Presidency Town of Bombay when such Suits are settled by agreement before hearing.

Letter to the Government of Bombay, No. 2,923, dated 25th August 1870, replying to the communication No. 2,153.

Letter to the Comptroller-General of Accounts, No. 2,924, dated 25th August 1870, requesting a report on the letter No. 2,137.

Reply from Comptroller-General of Accounts, No. 1,054, dated 28th September 1870.

—
RESOLUTION.—The Governor-General in Council is pleased to authorize the adoption of the following rules for the Court of Small Causes in the Town and Island of Bombay:—

In cases compromised before hearing, or in which costs have been remitted, either in whole or in part, by order of the Judges, one of the Judges shall grant a certificate for the payment of the half or remitted costs, and, on the production of such certificate, the Clerk of the Court shall pay the amount thereof to the party entitled to receive the same, and shall append the certificate as a voucher to his account of the payments.

A permanent advance, equal to one week's estimated refunds, shall be allowed to the Clerk of the Court for the purpose of making the payments in cash, the Clerk recouping himself with the amount expended out of the advance as often as may be necessary.

The monthly account of the payments of refunds should be rendered to the Accountant-General.

—
ORDER.—Ordered that a copy of this Resolution be sent to the Government of Bombay and to the Accountant-General, Bombay, for information and guidance.

Ordered, also, that a copy of the same be forwarded to the Governments of Madras and Bengal, with the request that it may be stated whether they would like to adopt the system indicated above for the Presidency Small Cause Courts in Madras and Calcutta.

(Signed) R. H. HOLLINGBERRY,
Assistant Secretary to the Government of India.

Council

*Proceedings of the Madras Government, Revenue Department,
18th November 1870.*

TRANSFERRED to the Revenue Department for disposal, with reference to paragraph 8 of the Order of Government in that department, dated 30th August 1870, No. 1,352.

(Signed) R. S. ELLIS,
Chief Secretary.

No. 253. ORDER THEREON, 18th November 1870, No. 1,801.

Separate Revenue, No. 21.

Stamps.

REFERRED for the opinion of the Board of Revenue and the Judges of the Small Cause Court, with reference to the Proceedings of Government, under date 18th November 1870, No. 1,800.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Judicial Department.

Ed. F. R. Bantleman.

Govt. of 1870: 314/1870.

REVENUE.

THE BOARD OF REVENUE.

Secy. Secy. Secy.

18th November, 1870.

Recd.

Encl.

G. O. 18th November 1870 No. 1,801.

NOV 21 1870
1870. 314/1870.

Referred to Small Cause Court for disposal
- Resolution of Government dated 30th August 1870
- referred to the Board of Revenue and Judges
of the Small Cause Court for disposal.

From Mr. R. S. Ellis.
At 5-20/1870 No. 3771.

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Govt of India
Sml. Department
Simla 27 October
1870

Read the following documents -

Memo from Home Dept No 136 F, of 4 Augt
1870, transferring for disposal two letters
from the Government of Bombay
Nos. 2137 and 2153 dated 10th June 1870
the latter referring a question regard-
ing a Register of process fees leviable
under the Court Fees Act of 1870, in the
Courts of District Judges & in Small
Cause Courts & the former submitting
a proposal respecting the mode of
refunding fees on suits instituted
in the Small Cause Court at the
Presidency Town of Bombay when such
suits are settled by agreement before
hearing -

Letter to the Govt of Bombay No 2923 dated
25th August 1870, replying to the Com-
munication No 2153.

Letter to the Comptroller General of Accounts
No 2924 of 25th August 1870 requesting
a report on the letter No 2137.

Reply from Comptroller General of Accounts
No 1054 dated 28th Sept 1870.

Resolution

The Governor General in
Council

Council is pleased to authorise the adoption of the following rules for the Court of Small Causes in the Town and Island of Bombay

In cases compromised before hearing or in which costs have been remitted either in whole or in part by order of the Judge, one of the Judges shall grant a certificate for the payment of the half or remitted costs and on the production of such certificate the Clerk of the Court shall pay the amount thereof to the party entitled to receive the same & shall append the certificate as a voucher to his account of the payments.

A permanent advance equal to one week's estimated Refunds shall be allowed to the Clerk of the Court for the purpose of making the payments in Cash the Clerk reckoning himself with the amount expended out of the advance as often as may be necessary.

The monthly account of the payments of Refunds should be rendered to the Accountant General

Order

Ordered that a copy of the Resolution be sent to the Govt of Bombay and to the Accountant General Bombay for information & guidance

Ordered also that a copy of the same be forwarded to the Govt of Madras & Bengal with the request that it may be stated whether they would like to adopt the system indicated above for the Presidency Small Cause Court in Madras & Calcutta

(D) R. H. Hollingbery
Asst Secy to the Govt of India

M. M. Munshi
Asst Secy to the Govt of India

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27.10

Wm
Chief Secretary
—
Medicine Dept
10 November 1870

H. 3491-
from
Nat. Secy. for Ind.
Tues. Sept. -
with
of 7. Oct. / 30
at H. Ind.
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 authorizing the adoption
 of certain resolutions
 at the Court of the
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 of the Court.

Signed for H. O'Brien & Co
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180 November 1870 — W. L. Linnell

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* note found almost every