M.R.O. 1—2,002—12-8-65.

(1) Number of Pages 18

(2) Date of repair 19-12-66.

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1095 Press

B.P. No. Mis.

Dated 28-8-1874. 196

Not to be folded or roughly handled

1095

Proceedings of the Madras Governm ... *t, Revenue Department.*
28th August ... 374.

No. 269. Read the following letter from H. ... Solicitor, Madr... to C. G. MASTER, E... Revenue Department, dated Madras, 1...

I HAV... the honor to acknowledge the receip... st July 1874, No. 956, Revenue Dep... mion relative to th... pro... ed amend... of Sec... Act No. VI. of 1863.

... submitted the matter for the considera... now lay... herewith a copy of his opinion.

OPINION.

THE effect of the words in Section 222 of A... poses to repeal, is obviously to restrict the M... and the restriction must, in cases when there is... house at hand to try the case, be productive ... would, therefore, be an improvement.

2. It must be remembered that, since t... Code of 1872, a "Summary trial" has acquired ... provided for in Chapter XVIII. of the Cod... amended Section to make it clear ... other ... intended.

(Signed) H. S. CUNNINGHAM,
Advocate-General.

12th August 1874.

No. 270. ORDER THEREON, 28th A... ust 1874, No. 1,095.

Separate Revenue, No. 24.
Salt.

THE reference to the Advocate-General, ordered in G. O., 31st July 1874, No. 956, Revenue Department, was intended to include the question of the propriety of amending Section 24, Act VI. of 1863, which had been suggested by the Government of India.

2. The Advocate-General will accordingly be requested to advise Government on this point.

(True Extract.)
Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.
" the Government Solicitor.

... F. Bantleman

1095

Opinion.

1. The effect of the words in S. 222 of Act 5 of 1863, which the Board proposes to repeal, is obviously to restrict the Magistrate's jurisdiction unnecessarily, and the restriction must, in cases where there is not an Officer in charge of a Custom house at hand to try the case, be productive of serious inconvenience. The repeal would therefore be an improvement.

2. It must be remembered that, since the passing of the Criminal Procedure Code of 1862, a "Summary trial" has acquired a technical meaning as one of the class provided for in Chapter XVIII of the Code. It would be well therefore in the amended Section to make it clear whether this is the sort of "Summary trial" intended.—

/Signed/ H. S. Cunningham.
Adv: Genl
12—8—/74.

/True Copy/.
H. E. Richard
Government Solicitor.

No. 467.

Madras, 14th August 1874.

From

H. G. Prichard
Government Solicitor,
Madras,

To

C. G. Master Esqre
Actg. Secretary to Government
Revenue Department,
Octacamund,

Sir,

1. I have the honor to acknowledge the receipt of the Order of Government dated 31st July 1874, No. 956, Revenue Department, requesting the Advocate Generals opinion relative to the proposed amendment of Section 222 of the Consolidated Customs Act No. VI of 1863.

2. I submitted the matter for the consideration of the Advocate General and I now forward herewith a copy of his opinion.

I have the honor to be,
Sir,
Your most Obedient Servant.
H. G. Prichard
Government Solicitor.

Rec. 21/3/74

Collector to Solicitor Requesting his opinion relative to the proposed amendment of Section 222 of the Consolidated Customs Act No. VI of 1863.

Rg. J 28 Aug 74
Ans. 21/8/74

REVENUE DEPARTMENT.

No. 2773

From The Government Solicitor

Dated 14th August 1874

FOR ORDERS.

The Advocate General's opinion
on the question referred to him
by Government in Board's
Proc: 7 July 1874 No 1713 (Sea
31 July 1874 No 2350).
It was considered that the
Act should be amended
Board's proceedings 30th January 1875
Nos 269 to 271
Madras Act VI of
amending Sec 24 Act VI of
1863. Necessary in connexion

p.o 31 July/74 Nos 270-71.

№ 2773

Rev: 1874. Dept.

From
The Government Solicitor
Madras.

To
The Offg Secretary to Govt
Revenue Department
Ootacamund.

Dated 14th
Recd 17th August

№ 467.

Enclosure 1.

Forwards a copy of the
Advr: General's opinion
relating to the proposed
Amendment of Section 222
of the Consolidated Customs
Act № VI of 1863.

269

SO 28 August/74 No 1095

C 22/8/74 R 26th

of the mode in which the
B.O. was worded although
that his opinion was so
expressed only on the other
point discussed by the
Board and he has
acted accordingly.
I presume he should
be equally bound
on this point as
on the
other

FOR ORDERS.

C 22/8/74

8/1095

Revenue Department

No. 1095.

Proceedings of the Madras Government
under date the 28th August 1874

Read the following letter
from the Govt Solicitor Madras.

Forwards a copy of the Advocate Genl's opinion relating to the proposed amendment of Section 222 of the Consolidated Customs Act No. VI of 1863.

Recd enter 14th Augt 1874 No. 467.

The reference to the Advocate General ordered in G.O. 31st July 1874 No. 956 R.D. was intended to include the question of the propriety of amending Sec. 24 Act VI of 1863 which had been suggested by the Government of India

2. The Advocate General will accordingly be requested to advise Government on this point

List from orders.
4/50

Board of Revenue

To the Government Solicitor
Board of Revenue
8 Augt 1874

3/9

8/8/74.

31/8/74
31/8/73

269-270