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Educational (1905) Department.

ORDINARY PRINTED.

G.O., No. 472

DATED 11-7-05

N. P.

INDEXED

ORIGINAL

[Despatch Abstract.]

Lawrence Asylum Press.

Statue that the Trustees of the — should from time to time as may be necessary, authorize their agents jointly or severally to act for them by formal power of attorney, the document being sent to the A.G.'s office for registration.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

1905.

Enclosures

Spare copies

ORIGINAL

G.O., No. 472, 11th July 1905.

N. P.

Lawrence Asylum Press.

Stating that the Trustees of the — should, from time to time as may be necessary, authorize their Agents jointly or severally to act for them by formal power of attorney, the document being sent to the Accountant-General's office for registration.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers :—

I

Letter—from the Agents to the Trustees of the Lawrence Asylum Press.
To—the Secretary to Government, Educational Department (through the Trustees of the Lawrence Asylum).
Dated—the 23rd May 1905.
No.—1464.

We have the honour to forward a copy of a letter, dated the 15th April 1905, received from the Accountant-General, Madras, asking for a power of attorney to be submitted by us for his inspection and registry.

2. In forwarding the abovementioned copy of the letter, we have the honour to state that we cannot understand why our rights to deal with the monetary affairs of the Press should be questioned, seeing that we are appointed by the Trustees, with the approval of Government, for this express purpose, as a reference to G.O., No. 669, Educational, dated 16th November 1901, and to G.O., No. 756, Educational, dated 16th December 1901, in which Government express their approval of the Agents' management of the Press, will clearly prove.

3. We would also venture to point out that we have been fully recognised by Government as responsible to the Trustees for a number of years past either as Agents (since 1896) or as Directors, and that to execute a power of attorney in favour of one Agent, or the three Agents, would be inconvenient as the Agents, like the committee of management of the Lawrence Asylum, are frequently changing. We are, therefore, of the opinion that the arrangements which have been in existence so long may remain undisturbed if these facts are placed before the Accountant-General in a proper way.

ENCLOSURE.

Letter—from W. DOBBIE, Esq., Accountant-General, Madras.
To—the Superintendent, Lawrence Asylum Press, Madras.
Dated—the 15th April 1905.
No.—L.F. 109.

In reply to your letter No. 1096, of the 11th instant, I have the honour to state that the cheque issued in December, which I may mention is now before me, was endorsed in favour of the "Trustees of the Lawrence Asylum Press, Madras."

2. In order to avoid all further inconvenience and to place the matter on a proper footing, I request you will now send me the necessary power of attorney in favour of the Agents for inspection and registry in this office to enable me to make all future payments to the Agents or to the Agent authorized to deal with these matters. All future resolutions relating to the appointment of an Agent to conduct the business of the Press should also be communicated to this office.

II

Endorsement of the Principal and Secretary, Lawrence Asylum, dated
 31st May 1905.

Forwarded.

A. W. ATKINSON,
Principal and Secretary.

To the Secretary to Government, Educational Department.

Order—No. 472, Educational, dated 11th July 1905.

The Trustees should, from time to time as may be necessary, authorize their Agents jointly or severally to act for them by formal power of attorney, the document being sent to the Accountant-General's office for registration.

(True Extract.)

H. D. TAYLOR,
Ag. Secretary to Government.

To the Trustees of the Lawrence Asylum Press.
 " Accountant-General with draft power of attorney returned.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 472, EDUCATIONAL,
DATED 11TH JULY 1905.

[SUBJECT.— *Power-of-Attorney for the Agents to the Trustees of the Lawrence Asylum Press.*]

From the Agents, Lawrence Asylum Press, No. 1464, dated 23rd May 1905.

Show (G.O., No. 669, Educational, dated 16th November 1901 and G.O., No. 756, Educational, dated 16th December 1901) please.

2. I think the Accountant-General is technically right.

H. D. TAYLOR—2-6-05.

The Government orders referred to are put up.

2. The current is submitted for orders.

T. KANAKASUNDARAM PILLAI—7-6-05.

Why should not the Superintendent, Government Press, be given a power-of-attorney? He is the only active agent.

A. GALLETTI—8-6-05.

The Accountant-General is technically right. The so-called Agents to the Trustees appear to have no legal status in the absence of a proper power-of-attorney from the Trustees; but for practical purposes it would suffice to execute the document in favour of the Superintendent, Government Press, who is a more or less permanent Agent, and who acts generally on behalf of the other two Agents.

H. D. TAYLOR—9-6-05.

Before we settle what to do we must know what is troubling the Accountant-General. Ask him to explain.

2. An authorisation by this Government to the Accountant-General to admit the acts of the Superintendent, Government Press, for the Trustees is possibly insufficient, and the Trustees probably would have to empower him. But how have matters gone on hitherto.

J. T[HOMSON]—10-6-05.

The file will be sent to the Accountant-General for remarks with reference to Honourable Member's note at **A** and **B** *supra*.

To the Accountant-General.

H. D. TAYLOR—12-6-05.

A few months ago I received a request to sell Government paper of the face value of Rs. 25,000 out of the paper held in my custody on account of the Lawrence Asylum Press, Madras. The request was signed only by Major Formby who is one of the Agents of the Trustees of the Lawrence Asylum. On my enquiring whether there were any orders which would enable me to take action on a request signed by only one of the Agents of the Trustees, I found that there were no such orders in my office, that the appointments of Agents to the Trustees were not intimated to my

office, and that there were no orders either from Government or from the Trustees to guide me in the matter. To prevent inconvenience, I asked the other Agents to the Trustees whether the sale of the paper was approved by them, and, on receiving replies in the affirmative, effected the sale and paid the money, the cheque being made payable to the Trustees of the Lawrence Asylum.

2. As large sums of money were involved, it appeared to me that the authority of the Agents for the Trustees or for one working member of them, to act for the Trustees of the Lawrence Asylum, should be put on a proper footing (this office having other dealings with the Press than in the matter of dealing with its Government paper lodged with the Accountant-General for safe custody) and I accordingly addressed the Agents on the subject. In reply, I was informed that "the Agents have a power-of-attorney to act upon the behalf of the trustees, but at present it is with Messrs. Branson and Branson, Solicitors." In a subsequent communication, I was informed that "the power-of-attorney given by the Trustees to Mr. Hill is mislaid at this moment." All that I have requested is that a power-of-attorney from the Trustees authorizing the Agents to the Trustees or one of the Agents to act for the Trustees should be sent to me for registration in my office.

3. As regards the past, I am afraid that the cheques issued by this office were made payable to one of the Agents by name, without much enquiry as to the authority for demanding this, it being known by report that the officer concerned was one of the Agents of the Trustees. It was only when a large transaction such as that for Rupees 25,000 referred to above came to my notice that the importance of having sufficient authority for making out cheques in the individual name of one of the Agents of the Trustees attracted attention. My office is placed in rather an awkward position, and if anything went wrong, would be blamed for not having taken proper precautions. No intimation is sent me who are the Agents of the Trustees, no authority is produced that the Agents are empowered to do all business on behalf of the Trustees, or that one of the Agents can do so. All that I require is that I should be authorized in all matters connected with the Press to deal with that one Agent for the Trustees who is to be considered the working Agent; and that I should be informed from time to time who is the Agent with whom I am authorised to deal. This authority is usually conveyed by a power-of-attorney, and as it appeared that such a power-of-attorney had been executed in the past, I requested its submission to my office for registration. But, so far as I am concerned, an order of Government is sufficient for my purposes, but whether it is sufficient from a legal point of view is another question.

4. I may mention that Major Formby called at my office in connection with the sale of Government paper referred to, and I explained to him the awkward position in which my office was placed, and he informed me that he would have matters put on a proper footing. I have received a draft power-of-attorney from the Principal and Secretary, Lawrence Asylum, with his letter of the 31st May 1905, and asking whether it was sufficient. I was on the point of sending it to the Government Solicitor for his opinion when this reference from Government was received. I now submit the draft power-of-attorney to Government for perusal.

5. I may in conclusion add that the two Government orders referred to in paragraph 2 of letter No. 1464, dated 23rd May 1905, from the Agents to the Trustees have no important bearing on the point. Besides, neither of these Government orders was communicated to this office.

W. DOBBIE—5-7-05.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

The Accountant-General seems to indicate the right course in the matter. The existing power-of-attorney is made out to Mr. Hill, who is no longer an Agent.

2. The draft power-of-attorney may now be sent to the Government Solicitor for approval. The Trustees seem willing to execute it.

H. D. TAYLOR—6-7-05.

The Directors of the Lawrence Asylum had better do what the Accountant-General requires, i.e., grant legal authority.

It is for them to settle that authority and grant it.

J. T[HOHSON]—8-7-05.

For draft.

H. D. TAYLOR—10-7-05.

The draft placed below is submitted for approval.

R.N.—10-7-05.

T. KANAKASUNDARAM PILLAI—10-7-05.

A. GALLETTI—10-7-05.

Issue.

H. D. TAYLOR—11-7-05.

[G.O., No. 472, Educational, dated 11th July 1905.]

12th May 5

Power of Attorney for the Trustees of the L.A. Press

READ AGAIN G.O., No.

dated 30. 10. 1904

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" " " "

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READ ALSO:-

G. No. 1041, From the Principal Secy. L.A., No. dated 31- 5- 1905.

" " " "

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" " " "

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ORDER

No. 472, dated 11- 7-

1905

P.S.

Keep in Mrs. first-stem print

7/11-7

from time to time as may be necessary
The Trustees should authorize jointly or severally by their agents to act for them as formal power of attorney as required by the A.G. the document being sent to the office for registration.
7/10-7-05 10-4-05

W. G. O.

8 Cps del'd 2/8/5
14/7/5

To The Trustees of the L.A. Press (1041)
A.G. with draft power of attorney returned.

14/7/5

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Note 1-5

So notes

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