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(2) Date of repair 2-4-39

(3) Initials of the Referencer F

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 323 Press
Mis.

Dated 22-6- 1864.

41-42 617

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 22nd June 1864.

No. 41. Read the following letter from W. C. GIBSON, Esq., Colonial Secretary at Colombo; to the Chief Secretary to Government, Fort Saint George, dated Colombo, 11th June 1864, No. 20.

With reference to your letter, No. 232 of the 25th April last, I am directed to transmit, for the information of the Honorable the Governor of Madras in Council, the annexed copies of communications from the Queen's Advocate, from which it appears that by the law which obtains in Ceylon Powers of Attorney drawn here should bear the stamp prescribed by the law of the place where the contract is made and completed, and that Powers of Attorney intended to have effect in Ceylon should bear a stamp according to the laws of this Colony.

From R. F. MORGAN, Esq., Queen's Advocate, Colombo; to the Honorable the Colonial Secretary, dated Colombo, 2nd May 1864, No. 161.

With reference to your letter, No. 101 of the 2nd ultimo, I have the honor to inform you that the Power of Attorney having been accepted and acted upon here, should bear a stamp according to the laws of this Colony. Mr. Gibson should therefore be requested to apply to the Commissioner of Stamps, under Section 43 of the Stamp Ordinance, to have the proper stamp affixed.

From R. F. MORGAN, Esq., Queen's Advocate, Colombo; to the Honorable the Colonial Secretary, dated Colombo, 2nd June 1864, No. 200.

With reference to your letter, No. 176 of the 30th ultimo, I have the honor to state that, by the Roman Dutch law, a Power of Attorney is a contract of Mandate which is regarded as made, not at the place whence the Mandator transmits it, but where the Mandatory receives it. The document should therefore bear the stamp prescribed by the law of the place where the contract is made and completed.

2. The opinion given by me in No. 161, of the 2nd ultimo, is based on the above state of the law applicable to Ceylon, and I see no reason to alter or qualify it.

(True Copies.)

(Signed) W. C. GIBSON,
Colonial Secretary.

No. 42. ORDER THEREON, 22nd June 1864, No. 323.

Ordered that a copy of the foregoing letter and its enclosures be furnished to the Deputy Auditor and Accountant General, with reference to the Order of the 1st instant, No. 297.

(True Extract.)

Chief Secretary.

To the Deputy Auditor and Accountant General.

Ed. J. Tulloch,

No 161.

Queen's Advocate's Office
Colombo, 2d May 1864.

Sir,

With reference to your letter No 101 of the 2d Instno, I have the honor to inform you that, the Power of Attorney having been accepted and acted upon here, should bear a stamp according to the Laws of this Colony.- Mr Gibson should therefore be requested to apply to the Commissioner of Stamps under Section 43. of the Stamp Ordinance to have the proper stamp affixed.-

I have &c
Signed/ Richard F. Morgan.

The Honble
The Colonial Secretary.

No 200

Queen's Advocate's Office
Colombo 2d June 1864

No 200.

Sir,

With reference to your letter No 176. of the 30th Ultimo I have the honor to state that, by the Roman Dutch Law, a power of Attorney is a Contract of Mandate which is regarded as made not at the place whence the Mandator transmits it, but where the Mandatory receives it. The document thereof therefore bear the stamp prescribed by the law of the place where the Contract is made and completed.

The Hon'ble
The Colonial Secretary

The opinion given by me in No 161 of the 2d Ultimo is based on the above state of the law applicable to Ceylon, and I see no reason to alter or qualify it.

I have &c

Signed Richard F. Morgan

"True Copies"

[illegible]

Colonial Secretary's Office
Colombo 11th June 1864.

No. 20.

Sir,

With reference to your letter No. 232 of the 4th April last, I am directed to transmit for the information of the Noble the Governor of Madras in Council the annexed copies of communications from the Queen's Advocate, from which it appears that by the Law which obtains in Ceylon Power of Attorney drawn here should bear the Stamp prescribed by the Law of the place where

The Chief Secretary
to Government
Fort St. George.

the

Rec: 25th Apl 64 - 56-57

Financial 1864 Dept

From

The Colonial Secretary

at Columbo No 20.

Dated 11th

Rec'd 16th } June 64.

Lithographed

No. 301

Enclose Copy of letter from the Queens Advocate at Jaffna intimating that powers of Attorney drawn in Ceylon, should bear the stamps of the place where the contract is made and completed

With Copy Order

No. 323 — 22d June 1864.

Ordered that a copy of the foregoing letter & its enclosures be furnished to the Dy. Auditor & Actg. Genl. with reference to the Order of the 1st Instant No 297.

So Dy. Ar: & Actg Genl. dispd 25/6

41 & 42