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MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No. 286 Press Mis.

21-22

Dated 27-6- 1868.

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21-22

Not to be folded or roughly handled

I

Proceedings of the Madras Government, Financial Department,
9th June 1868.

No. 21. Read the following letter from the Commissioner of Issue of Paper Currency, Madras, to the Chief Secretary to Government, Fort Saint George ; dated Madras, 30th May 1868, No. 1098.

I have the honor to forward, for the information of the Government, copy of a letter from the Head Commissioner of Paper Currency, together with an "Opinon" of the Advocate General, Calcutta.

2. It will be observed that I am instructed, in every case of the alleged loss of an entire Currency Note, to require a declaration of loss, to be signed before a Magistrate, prior to registering the loss in the weekly lists of stopped Notes, and, in reference thereto, I have the honor to request that, with the sanction of Government, a Notification may be issued requiring all Magistrates throughout the Presidency to allow such declarations to be signed in their presence.

From the Head Commissioner of Paper Currency, Calcutta, to the Commissioner of Paper Currency, Madras ; dated Calcutta, 16th May 1868, No. 88.

In order that the Currency Department may be fully justified in inserting a Note as lost in the lists of lost Notes now circulated to Collectors, &c., I have to request, agreeably to the opinion from the Advocate General, herewith annexed, which you should interpret in the strictest manner possible, that, before inserting a Note that is reported to you as lost in your list of lost Notes, you will satisfy yourself, as far as you can, by inquiring from the person who alleges it to have been lost whether such is really the case, and you should ask him to produce any evidence he can of his former possession of the Note. You should further require of him to make the declaration of loss required by the rules before a Magistrate, and deliver up the same to you, after which only you will insert the Note in your register and list of lost Notes.

OPINION.

If any Government Treasury Officer receives a Currency Note of the alleged loss of which he has received notice from the Issue Department, he should inquire of the person tendering it in payment as to the circumstances under which he got the Note. If he gave value for it, and there is no reason to suppose from his statement that he received it otherwise than in good faith, it should be accepted by the Government Officer as a good legal tender.

2. I think that the Head Commissioner of Paper Currency should satisfy himself, as far as he can, by inquiring from the person who alleges a Note to have been stolen or lost whether such is really the case, and should ask the alleged owner to produce any evidence he can of his former possession of the Note. Having satisfied himself of the probability of the story as to the alleged stealing or loss, the Commissioner will be quite justified in inserting the Note in his list.

3. A person who takes a Note in good faith and for consideration will have a title to it notwithstanding he may have seen it enumerated in the list of lost or stolen Notes ; but if he takes the Note with knowledge of its having been advertised, and does not make reasonable inquiry, that is, if he takes it under such circumstances as would fix on him the suspicion of participation in the fraud, he could not make a good title to the Note. And it follows that if he takes the note otherwise than in good faith it is not a good payment, and he may and ought to refuse it as a legal tender, unless he has reason to believe that the person tendering it to him has come by it honestly.

28th April 1868. (Signed) F. H. COWIE,

(True Copy).

(Signed) J. W. MIRFIELD,
Officiating Solicitor to Government.

Proceedings of the Madras Government, Financial Department, 9th June 1868.

No. 22. ORDER THEREON, 9th June 1868, No. 286.

Ordered that the following Notification be published in the *Fort Saint George Gazette* :—

"The Commissioners of Issue of Paper Currency being required by the Rules in respect of "Currency Notes to obtain, in every case of the alleged loss of an entire Currency Note, a "declaration of loss, prior to registering the loss in their lists of stopped Notes, all Magistrates "are hereby required to allow such declarations to be made and signed in their presence."

(True Extract).

Chief Secretary.

To the Commissioner of Issue of Paper Currency, Madras.
,, Magistrate of

Exd. J. H, Burns,

Department of Issue of Paper Currency, Calcutta.
No 88 dated the 16th May 1868.

From

Lieut: Col: H. Hyde, R.E.
Head Commissioner of Paper Currency

To

The Commissioner of Paper Currency
Madras

Sir

In order that the Currency Department may be fully justified in inserting a note as lost in the lists of lost notes now circulated to Collectors &c., I have to request, agreeably to the opinion from the Advocate General, herewith annexed, which you should interpret in the strictest manner possible, that before inserting a note that is reported to you as lost, in your list of lost notes you will satisfy yourself, as far as you can, by enquiring from the person who alleges it to have been lost, whether such is really the case, and you should ask him to produce any evidence he can of his former possession of the note; you should further require of him to make the declaration of loss required by the rules, before a Magistrate and deliver it to the same to you, after which only you will insert the note in your register and list of lost notes.

I have &c &c.

(Signed) H. Hyde
Head Commissioner

Opinion

If any Government Treasury Officer receives a Currency Note of the alleged loss of which he has received notice from the Issue Department, he should enquire of the person tendering it in payment as to the circumstances under which he got the note. If he gave value for it and there is no reason to suppose from his statement that he received it otherwise than in good faith it should be accepted by the Government Officer as a good legal tender.

2. I think that the Head Commissioner of Paper Currency should satisfy himself as far as he can by enquiring from the person who alleges a note to have been stolen or lost whether such is really the case and should ask the alleged owner to produce any evidence he can of his former possession of the note. Having satisfied himself of the probability of the story as to the alleged stealing or loss, the Commissioner will be quite justified in inserting the note in his list.

3. A person who takes a note in good faith and for consideration will have a title to it notwithstanding he may have seen it enumerated in the list of lost or stolen notes. But if he takes the note with knowledge of its having been advertized and does not make reasonable enquiry - that is if he takes it under such circumstances as would fix on him the suspicion of participation in the fraud he could not make a good title to the note - And it follows that if he takes the note otherwise than in good faith it is not a good payment, and he may and ought to refuse it as a legal tender unless he has reason to believe that the person tendering it to him has come by it honestly.

/Signed/ J.H. Cowie
28th April 868.

/True Copy/
/Sd/ J.W. Mirfield
Off Solicitor to Govt.

/True Copy/
/Signed/ H. Hyde
Head Commissioner

/True Copy/

J. Gapper Dale
Commissioner of Issue
& Paper Currency.

6

Paper Currency Office
Madras mint 20th May 1868.

No 1098.

From

Colonel J. Carpendale R.E.
Commissioner of Issue
of Paper Currency.

To

The Chief Secretary to Government
Fort Saint George

Sir

1. I have the honor to forward for the information of the Government copy of a letter from the Head Commissioner of Paper Currency together with an "Opinion" of the Advocate General Calcutta.

2. It will be observed that I am instructed in every case of the alleged loss of an entire currency Note to require a declaration of loss to be signed before a Magistrate prior to registering the loss in the weekly lists of stopped notes, and in reference thereto I have the honor to request that with the sanction of Government a notification may be issued requiring all Magistrates throughout the Residency to allow such declarations to be signed in their presence.

I have the honor to be
Sir.
Your most obedient servant

J. Carpendale
Commissioner of Issue
of Paper Currency.

Enclosures to letter from the Commissioner of Issue of Paper Currency to the Chief Secretary to Government, Fort St. Geo.
No 1098 dated 20 May 1868.

Received
No 2067
Recd 22nd June 1868 d. 21.

Financial Department.

F

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Commissioner of Issue of Paper Currency, Madras.

rder thereon - 9th June 1868 No. 286.

Ordered that the following Notification be published in the Fort St George Gazette -

"The Commissioners "of Issue of Paper Currency "being required by the "Rules in respect of Currency notes, to obtain "in every case of the "alleged loss of an entire "Currency note, a declaration of loss, prior to "registering the loss in "their lists of stopped notes, "all Magistrates are "hereby

Gazette Notice

Rs. 5 - Rupees Five-4-9-33
10 Feby 68 - 15 20
9 June - 27-28.
19 May - 49-57.

Fort St George 1868. Deputy Secretary.

Sir

I have the honor to forward herewith a Bill for Currency Notes

No. 286

Dated 30 May 1868

Rupees Five

Madras Dec.

To the Deputy Secretary to Government, Madras.

Requesting that a Notification may be issued requiring all Magistrates throughout the Presidency to allow declarations of loss of entire Currency Notes to be received without

21.

"hereby required to allow
"such declarations to be made and
"signed in their presence."

138 Extd

To the Comrs. of the Issue of R. Madras
Magistrates in the Districts and
at the Presidency
Gazette 9/6

Last of Convoy
Rec'd

(3)

Jud 1868. Department.

No. 286

PROCEEDINGS OF GOVERNMENT.

Dated 9th June 1868.

Inserted
9th June 1868

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