M.R.O. 1—23,000—16-12-22.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1116 Press Mis.

80-81

Dated 10 - 8 - 19 1885

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 10th August 1865.

No. 80. Read the following letter from Major R. M. MACDONALD, Registrar General of Assurances, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Madras, 26th July 1865, No. 222.

I have the honor to submit a letter,* No. 1, of the 13th instant, from the Deputy Registrar of St. Thomas' Mount, pointing out that nearly all the instruments which are likely to be brought to him for registration, will be in Tamil, and that as he does not understand that language, he will be obliged, under Section 24 of Act XVI of 1864, to refer the parties to the District Registrar at Sydapett. The effect of this arrangement will be that the work of registration will have to be done in two offices instead of one, viz., first in that of the District, and afterwards in that of the Deputy Registrar, and as the latter receives no commission in such cases, he will have no means of paying his clerk. Captain Clementson suggests that this difficulty may be met by allowing the Deputy Registrar of a Military Cantonment to receive his usual commission on the fees collected by the District Registrar, which otherwise will become a saving to Government.

* To be returned.

2. It appears to me that there is no other way in which funds can be provided for remunerating the Deputy Registrar's clerk, for the work devolving on him; but if the claim is admitted in these cases, there will be an opening for other claims of a similar kind, to which the same principle will be equally applicable.

3. The first is the case of an English instrument being presented to a Native Deputy Registrar, who does not understand English. The instrument must in that case be taken to the District Registrar, and the Deputy Registrar has eventually to get it copied into his books without any fee.

4. The second is the case of instruments registered in my office under Section 26. All such instruments have to be copied twice in the District Registrar's office, and once in that of the Deputy Registrar without any fee.

5. The third is the case of instruments affecting immoveable property lying in two or more Districts or Sub-Districts. In all these cases there must be one, and there may be many registrations, without any fee.

6. Apart, however, from this difficulty, it appears to me a matter for consideration whether any useful object is attained by having as Deputy Registrars, in Military Cantonments, officers who are in fact virtually precluded from performing the duties attached to their office. As regards the convenience of the parties registering, it may be remarked that other Deputy Register offices already exist at three of the five stations which come under Act IV of 1865, viz, Bellary, Trichinopoly and Cannanore, so that nothing has been gained in the two first, whereas in the last the parties will probably have to travel to the District office at Tellicherry, instead of getting their instruments registered as they used to at Cannanore. At Wellington the parties, instead of going to Ootacamund, will have to go to Coimbatore, and at St. Thomas' Mount, they will have to go where they went before, viz., Sydapett. As regards the District Registrars of these five Districts, each of them will have to perform the work of a Deputy Registrar in addition to his own, without any extra writer, while the Deputy Registrars have to keep up establishments for which funds can only be provided in the anomalous manner above described.

Proceedings of the Madras Government, Judicial Department, 10th August 1865.

From Captain C. D. CLEMENTSON, Deputy Registrar of Assurances, Saint Thomas' Mount, to Major R. M. MACDONALD, Registrar General of Assurances, Madras; dated Saint Thomas' Mount, 13th July 1865, No. 1.

With reference to Section XXIV of Act XVI of 1864, I beg to bring to your notice that I am unable to register any instrument at Saint Thomas' Mount, with the exception of those that may be in English or Hindoostanee, and that instruments in those languages are very rarely used here, nearly every one being in Tamil. Under these circumstances, all the instruments are obliged to be sent by me to the District Registrar, who I am informed will return a form containing every thing entered in his book, including a copy of the instrument for entry in mine, and that I have to send back again copies to him showing my number, for entrance in his books; but as no fee is allowed except for original registration, I shall be obliged to do this, viz., make three copies of every instrument, one in the book and two for the District Registrar, without any remuneration whatever, and as my present establishment is insufficient even to conduct the work it has to do, delay must inevitably occur in forwarding the copies.

2. When instruments are sent to the District Registrar by a Deputy, through inability to register under Section XXIV, Government saves the Deputy's fees under the present rules. If I might be allowed to point out a remedy to the above difficulty, I would suggest that Government should sanction the usual fees to Deputies, situated as I am, for any instrument that is refused registration under the above Section, as in reality they have exactly the same entries to make as if the instrument was originally registered by them. No difficulty would occur in the case of property being situated in two Sub-Districts, as the Deputy to whom the document was originally presented for registration would be the person entitled to the fees.

No. 81. ORDER THEREON, 10th August 1865, No. 1116.

Under the circumstances brought to notice in the foregoing letter, the Governor in Council resolves to rescind paragraph 3 of the Order of the 16th May last, No. 736, which declared the Military Cantonments of Bellary, Cannanore, Saint Thomas' Mount, Trichinopoly, and Wellington to be Sub-Districts for the purposes of Act XVI of 1864, and the Cantonment Magistrates to be Deputy Registrars thereof. This order will be notified in the Gazette.

(True Extract).

Chief Secretary.

To the Registrar General of Assurances.
" Magistrate of Bellary.
" do. of Malabar.
" do. of Madras District.
" do. of Trichinopoly.
" do. of Coimbatore.

Exd. J. H. Burns.

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Judicial Department

Notification

Fort Saint George, August 1865.

The Governor in Council hereby rescinds the Notification of the 26th May last, published in page 1072 of the Gazette, which declared the Military Cantonments of Saint Thomas' Mount, Wellington, Bellary, Cannanore and Trichinopoly to be Sub-Districts for the purposes of Act XVI of 1864, (to provide for the Registration of Assurances) and the Cantonment Magistrates to be Deputy Registrars thereof.

By Order &c.

Sent Pub 11th March 1865

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Judicial.

Proceedings of the Madras Govt.

Read letter from the Registrar General of Assurances — Enter 26th July '65 No. 222.

Order — 10th August 1865 No. 1116.

Under the circumstances brought to notice in the foregoing letter, the Governor in Council resolves to rescind para 3 of the Order of the 16th May last No. 736, which declared the Military Cantonments of Bellary, Cannanore, Saint Thomas' Mount, Trichinopoly & Wellington to be Sub-Districts ~~of~~ for the purposes of Act XVI - '64, & the Cantonment Magistrates to be Deputy Registrars thereof. This Order will be notified in the Gazette

The Registrar Genl. of Assurances.
" Magistrate of Bellary.
Malabar
Madras
Trichinopoly.
Coimbatore!

Gazette 11/8

dispatched 16/8

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Judicial 186 5. Department.

No. 116.

PROCEEDINGS of GOVERNMENT.

Dated 10 August 1865.

Read the following Letter from the Secretary to the Government of India, Home Department, No. 1,
dated the 3rd instant, with its enclosure.

Ordered that the Secretary to the Government of India, Home Department, be informed that the Governor in Council has no objection to the proposed alteration in the Rules for the Examination of Candidates for Appointments in the Uncovenanted Service.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Lower Provinces, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Upper Provinces, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Central Provinces, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Punjab, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Oudh, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Pegu, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Assam, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Madras, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Bombay, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Sind, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Berar, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Mysore, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Coorg, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Ajmere, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Coorg, for information.

Ordered that a Copy of the Letter from the Secretary to the Government of India, Home Department, No. 1, dated the 3rd instant, with its enclosure, be forwarded to the Secretary to the Board of Revenue, Ajmere, for information.

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