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# TAMIL NADU ARCHIVES

## GOVERNMENT OF TAMIL NADU

Judicial DEPARTMENT

|          |            |        |
|----------|------------|--------|
| G.O. No. | 344        | Press. |
| B.P. No. |            | Mis.   |
| Dated    | 2. 3. 1868 | 197.   |

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,  
2nd March 1868.*

Read the following papers:—

No. 3. From the Magistrate of Kurnool, to the Chief Secretary to Government, Fort Saint George; dated Peapully, 6th February 1868, No. 58.

I have the honor to request you to inform me, with reference to Government Order, No. 1474, dated 10th September 1867, Judicial Department, whether a Tahsildar has the option or not of attesting, in his Magisterial capacity, the signatures on all Bonds in which Government may have an interest.

2. I ask the question because Major Moberly,\* Superintending Engineer, has requested me to order attestations, which the Nandial Tahsildar has apparently refused on the Government Order above quoted.

\* Copy of his letter is forwarded, No. 2924, dated 1st February 1868.

From Major A. S. MOBERLY, R. E., Superintending Engineer, 3rd Division, to the Collector of Kurnool; dated Camp Pennakonda, 1st February 1868, No. 2924.

I have the honor to bring to your notice that the Tahsildar of the Nandial Taluq has declined to attest, in his Magisterial capacity, the signatures of the Overseer and his witnesses to a Security Bond which the Overseer has to furnish, and beg that you will issue the necessary orders to all Sub-Magistrates to attest all Bonds in which Government have an interest.

2. The Tahsildar appears to have mixed up the questions of attestation and registration, and has overlooked that a document cannot be registered until it has been signed.

No. 21.

MEMORANDUM.

No. 4.

With reference to Mr. Walker's Memorandum, No. 75, of the 17th February 1868, the undersigned has the honor to inform the Chief Secretary to Government that there is nothing in the Rules of the Department of Public Works to require Security or other Bonds executed by its Officers to be attested by a Magistrate. All that is necessary is that they should be executed in the presence of two competent witnesses.

FORT SAINT GEORGE,  
18th February 1868.

(Signed) C. A. ORR, Colonel, R. E.,  
Secy. to Govt., P. W. D.

To the Chief Secretary to Government, with two letters.

No. 5.

ORDER THEREON, 2nd March 1868, No. 344.

It is observed that there is nothing in Chapter 12 of the Rules in force in the Public Works Department, regarding Security Bonds, which renders it necessary that such Bonds shall be attested by a Magistrate. In regard to the general rule suggested by Major Moberly, the Governor in Council sees no sufficient reason for requiring all Sub-Magistrates to attest all Bonds in which Government have an interest.

(True Extract).

Chief Secretary.

To the Magistrate of Kurnool.

Do. of  
Public Works Department.

Ed. J. H. Burns.



by the Superintending  
Engineer 3<sup>d</sup> Division, all  
Sub Magistrates and  
Generals to attest all  
Bonds in which Govern-  
ment have an interest.

To the Magistrate of Lucre  
of all the  
Public Works Defunct

305.

Dated 2<sup>nd</sup> March 1868.

PROCEEDINGS OF GOVERNMENT.

No. 344.

Feb. 1868. Department.

N<sup>o</sup> 58. District Magistrate's Office,  
Roorkee, Oudh.  
6<sup>th</sup> February 1868.

Sir,

C. S. Chaudhary,  
Magistrate of Roorkee.

To,  
The Chief Secretary to  
Government,  
Fort Saint George.

Sir,

I have the honor to request you to inform me, with reference to Government Order N<sup>o</sup> 1174 dated 10<sup>th</sup> September 1867, Judicial Department, whether a Tahsildar has the option or right of attesting in his Magisterial capacity, the signatures on all bonds in which Government may have an interest.

2 I ask the question because Major Chodhry, Superintending Engineer has requested me to order attestation which the Tahsildar has apparently refused on the Government Order above quoted.

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

Copy of his  
letter is forwarded  
N<sup>o</sup> 2924 dated  
1<sup>st</sup> February 1868

all

No 2924 <sup>2</sup> Supg. Eng & Office 3<sup>d</sup> Divn  
Camp Pennahonda.  
1<sup>st</sup> February 1868.

From, The Superintending Engineer  
3<sup>d</sup> Division.

To, The Collector of  
Murnool.

Sir,  
I have the honor to bring to  
your notice, that the Tahsildar of  
the Pandial Taluk has declined  
to attest in his Magisterial capacity  
the signatures of the Querees and  
his witnesses to a Security Bond by  
which the Querees has to furnish;  
and beg that you will issue the  
necessary orders to all Sub. Magis-  
trates to attest all Bonds in which  
Government have an interest.

The Tahsildar appears  
to have mixed up the questions  
of attestation and registration  
and has overlooked that a docu-  
ment cannot be registered until

Don 10<sup>th</sup> 12<sup>th</sup> 1709 133-134

Feb 3 1868 D. H. A. D.

From, The Registrar  
Murnool.

100.346

The Chief Secretary  
to Government  
for Bellary

Deputy Secretary  
to Government  
for Bellary

100.337

1<sup>st</sup> 58

W. P. 6119/167  
Registered to do

informed and to be  
instructed in a

test and to be on  
all should in which

Government have  
an interest.

File 100.337.

100.337

3.

it has been signed.

I have &c  
(sig<sup>d</sup>) A. S. Moberly Major  
Supg Engineer  
3<sup>d</sup> Division

(True copy)

Quare  
Magistrate

Jan. 6/19/67

Enclosure in and to  
the 58, dated 6<sup>th</sup> Feb  
uary 1868, from the  
Magistrate's statement  
to the Chief Secretary  
to Government from  
Mr. George.  
Pro. 2 March 1868  
In. Ind. No 337/68.

No. 21

3

Memorandum

With reference to Mr.  
Walker's Memo. No 75 of the 17<sup>th</sup> February  
1868, the undersigned has the honor to  
inform the Chief Secretary to Government  
that there is nothing in the rules of the  
Department of Public Works to require  
Security or other bonds executed by its  
Officers to be attested by a Magistrate.  
All that is necessary is that they  
should be executed in the presence  
of two competent witnesses.

Fort George  
18<sup>th</sup> Feb 1868

Wm. A. M.

Col. R. H.

Secretary to Govt. V. M. D.

To The Chief Secretary  
to Government  
with two letters.

A. S. Moberly

221.337

4

221.337.

S No 346

From Secy to Govt. P.W.D.

Secy to Govt. P.W.D.

B. 18 } 24th  
Dec 19 } No 346

Inform the Chief Secy.  
to Govt. that there is  
nothing in the rules  
of Public Works  
to require security  
of bonds executed  
by its officers, to be  
attested by a Magistrate.

Judicial Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter papers:

Letter from the Magistrate  
of Tirunelveli } Received 6<sup>th</sup> February 1868 No. 18  
Memorandum from the Secretary  
to Govt. P.W. Department } 21

Order thereon 2<sup>d</sup> March 1868 No. 344.

It is observed that there is nothing in  
Chapter XII of the Rules in  
force in the Public Works  
Department, regarding security  
Bonds, which renders it  
necessary that such  
Bonds shall be attested  
by a Magistrate.

W.D.  
by R

In regard to the general rule (regarding capacity)  
suggested by Major Roberts of the Government in Council  
there is no sufficient reason  
for requiring, as suggested

I suggest that  
the rules should be  
revised to provide for  
the security of bonds  
executed by officers  
of the P.W.D.