

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	80	Press Mis.
Dated	20 - 1 -	191868

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
20th January 1868.

No. 127. Read the following letter from E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department, to the Secretary to Government, Fort Saint George; dated Fort William, 31st December 1867, No. 1814.

I am directed to forward, for the information of the Government of Madras, the accompanying copy of the correspondence noted in the margin, and I am to request that the instructions of the Government of India, as indicated in paragraph 4 of the letter to the Government of Bombay, may be communicated to the Registrar General of Assurances in Madras.

From Government of Bombay, No. 3667, dated 29th October 1867.
To ditto, No. 1812, dated 31st December 1867.

Extract from the Proceedings of the Government of Bombay, in the Revenue Department, dated 29th October 1867, No. 3666.

Read the following letter from the Registrar General of Assurances, dated 5th September 1867, No. 1391, submitting a Report on the administration of his Department during the year 1866-67.

RESOLUTION.—The circumstances described at the commencement of this Report are, perhaps, sufficient to account for the falling off in registration of deeds in the Mofussil. At the same time, the Right Honorable the Governor in Council considers that cause has been shown for the reference which Mr. Peile states (paragraph 13) he has made to the Collectors, and the result of that reference should be well considered by Mr. Peile's successor.

2. Government observes, from a comparison of the Tabular Statements given in the 16th and 17th paragraphs of this Report, that the proportion of optional to total registration is in Bengal 41 per cent.; in the North-West Provinces, 57 per cent.; in Madras, 27 per cent.; and in Bombay, 21 per cent. There seems little reason for doubting that this fluctuation is closely connected with the fluctuation in the average cost of registering disclosed in column 7 of the Statement embodied in paragraph 16. In Bombay and Madras, where the average cost of registration is highest (Rupees 2 and Rupees 3½ respectively), the proportion of optional registration is remarkably small, while in Bengal and the North-West Provinces, where the cost is small (Rupees 1 and 1½), the proportion is greatly in excess.

3. These figures seem to show that the high fees levied in Bombay tend to suppress optional registration, and the Right Honorable the Governor in Council readily adopts Mr. Peile's recommendation to reduce the rate of fee for optional registration to two Annas per folio of 72 words, with eight Annas as minimum. This change may take effect from the 1st January next. The reduction in the fees for depositing and registering Wills, &c., proposed in paragraph 20, is also approved.

4. The Right Honorable the Governor in Council desires to draw the attention of all District Registrars to the 27th paragraph of Mr. Peile's Report, and feels assured that no occasion will be given for such remarks in future years.

5. The result stated in paragraph 36 is satisfactory.

6. The alteration proposed in Clause (b) paragraph 71, is approved.

7. The attention of the Revenue Commissioners should be drawn to the small number of Summary Settlement Sunnuds that have been registered, and they should be asked to inquire and report whether the orders of Government for registering these Sunnuds are being carried out.

8. The Right Honorable the Governor in Council considers that the results exhibited by this Report show that the late Registrar General, Mr. J. B. Peile, has devoted great attention to the duties of his office, and Government thanks him for this interesting and elaborate Report.

Proceedings of the Madras Government, Judicial Department,
20th January 1868.

9. Copies of these Proceedings should be sent to the Government of India, whose approval should be asked for, under Section 86 of Act XX of 1866, to the alterations proposed in the Table of Fees.

10. These Proceedings should be separately reported to the Secretary of State, and a copy of the Report and of this Resolution may be printed as a Supplement to the *Government Gazette*.

(True Extract.)

(Signed) M. J. SHAW STEWART,
Ag. Chief Secy. to the Govt. of Bombay.

No. 3667.

Submitted to the Government of India, with copy of Mr. Peile's Report, dated 5th September 1867, No. 1391.

From J. B. PEILE, Esq., Registrar General of Bombay, to M. J. SHAW STEWART, Esq.,
Acting Chief Secretary to the Government of Bombay; dated 5th September 1867,
No. 1391.

I have the honor to submit to Government a Report on the administration of the Department of Registration of Assurances during the year 1866-67. The period comprised begins on April 1st, 1866, and ends on March 31st, 1867. In explanation of the date at which I write, I must mention that only 14 days have passed since I received the last Mofussil Registrar's Report. But I have also just received the Annual Report of the Bengal Registrar General, and am able to compare the results in Bombay with those in Bengal, North-Western Provinces, and Madras, a duty which, perhaps, fairly falls on the Registrar General whose Annual Report is latest in date.

2. The narrative of the year is necessarily somewhat motley. The amended Act (XX of 1866) took the place of Acts XVI of 1864 and IX of 1865 on and after May 1st, 1866; but as sufficient time had not been allowed to prepare the new books to be kept under Act XX, Registrars General were allowed a discretion of using the books kept under Act XVI up to the end of 1866. In Bombay, the new books were brought into use from October 1st, 1866. They were ready a month earlier, but a heavy fall of rain made it impossible to put them in the Registrars' hands. In other Presidencies the old books were retained until the end of 1866; and as there was much inconvenience in administering the new law by aid of the books adapted to the old, I think that Bombay gained a clear advantage in this matter.

3. But not only were the Acts and the books changed; the work of registration was also transferred on October 1st, 1866, from the Judicial to the Revenue Service. The Special Sub-Registrars mostly remained unchanged, but the Collectors became Registrars in place of the Judicial Officers; and the Revenue Head Carpoons, Sub-Registrars in place of Moonsiffs.

4. And the new law was very tardily made known to the Mofussil public. It was not until some months of this year had passed that I was able to obtain any considerable number of copies of the vernacular versions. Thus, although I proposed to Government in September 1866 to distribute one copy of the Act and Rules to each group of 10 villages throughout the Presidency, and to have the sections which set forth the requirements and advantages of the Act copied, and publicly displayed in every village by each Village Accountant, I was not able to carry out this important measure until June 8th, 1867.

5. These facts explain the unfavorable result of registration in the Mofussil. In Bombay it has increased; in the Mofussil it has fallen off, as compared with the previous year.

General result of 1866-67.

Proceedings of the Madras Government, Judicial Department,
20th January 1868.

The following Tables will show this :—
Registration business of the year under report compared with that of the previous twelve months.

I.
IN BOMBAY.

	From April 1st, 1865, to March 31st, 1866.			From April 1st, 1866, to March 31st, 1867.		
	No.		Fees.	No.		Fees.
			RS. A. P.			RS. A. P.
I. { Registration of instru- { Compulsory	1,997	25,897	12 0	{ 2,475	28,646	7 0
ments affecting im- { Optional....						
moveable property.	274	1,423	9 0	{ 70	398	0 0
II. Registration of miscellaneous instru- ments.						
III. Special Registration—	268	3,139	12 0	{ *286	792	10 0
Included in the above...						
Not included in the above...				{ 1,796	9,489	3 0

* Therefore not included in the total of Column 10 of Statement A.

II.
In the Mofussil.

	From April 1st, 1865, to March 31st, 1866.			From April 1st, 1866, to March 31st, 1867.		
	No.		Fees.	No.		Fees.
			RS. A. P.			RS. A. P.
I. { Registration of instru- { Compulsory.	71,694	2,04,080	0 0	{ 48,678	1,44,226	5 3
ments affecting im- { Optional....						
moveable property.	5,592	8,323	4 0	{ 11,388	28,925	8 0
II. Registration of miscellaneous instru- ments.						
III. Special Registration—	419	3,018	5 0	{ *233	593	0 0
Included in the above...						
Not included in the above.				{ 1,133	3,526	14 0

* Therefore not included in the total of Column 10 of Statement A.

III.

	Receipts.				Expenditure.			
	April 1st, 1865, to March 31st, 1866.		April 1st, 1866, to March 31st, 1867.		April 1st, 1865, to March 31st, 1866.		April 1st, 1866, to March 31st, 1867.	
	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.
Registrar General.....	10,185	2 0	2,538	15 0	70,763	14 3	39,724	10 9
Registrar and Sub-Registrar, Fort and Colaba.....	4,196	15 0	14,682	10 0	7,882	8 9	10,187	8 1
Sub-Registrar, Mahim.....	3,271	13 0	1,808	4 0	3,710	7 2	3,034	7 2
" Mazagon.....	3,175	4 0	3,730	3 0	4,084	5 11	3,602	1 1
" Bhooleshwur.....	11,081	11 0	20,294	12 0	7,882	8 9	11,117	5 2

IV.

District.	Receipts.				Expenditure.			
	April 1st, 1865, to March 31st, 1866.		April 1st, 1866, to March 31st, 1867.		April 1st, 1865, to March 31st, 1866.		April 1st, 1866, to March 31st, 1867.	
	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.
Ahmednuggur.....	32,423	5 6	26,324	5 9	9,701	5 0	13,491	3 4
Poona.....	31,340	3 0	24,921	5 6	10,364	10 2	12,556	7 6
Sattara.....	25,785	13 6	25,471	8 0	5,031	10 0	10,228	1 1
Dharwar.....	14,692	11 0	12,438	9 0	7,479	3 2	8,377	4 9
Tanna.....	17,081	7 0	17,847	12 6	6,548	14 1	9,779	9 8
Belgaum.....	13,655	5 0	12,879	2 6	6,489	7 8	8,328	11 10
Khandeish.....	13,943	8 0	15,547	14 0	5,759	13 4	10,732	11 4
Ahmedabad.....	10,914	11 0	14,506	14 0	4,654	21 0	6,538	14 1
Sholapore.....	11,169	8 0	9,991	13 6	6,175	4 9	6,240	11 3
Kaira.....	9,733	13 0	12,050	15 0	2,435	0 10	5,134	11 7
Rutnagherry.....	10,353	7 6	11,306	15 0	6,681	10 8	7,440	8 5
Surat.....	8,350	3 0	11,502	14 0	3,651	1 0	6,768	12 8
Kulladghee.....	8,359	2 6	7,014	14 6	3,424	14 4	5,201	13 11
Canara.....	6,478	5 0	7,526	8 0	2,991	10 0	5,805	6 4
Broach.....	5,262	8 0	7,891	13 0	1,993	2 11	3,740	10 7
Punch Mahals.....	.....	.....	550	2 0	.....	.....	1,576	2 5
Alibaug.....	.....	.....	*4,198	5 0	.....	.....	*3,435	15 8

* This was formed into a separate district from October 1866.

6. The financial result of the year is a surplus of Rupees 50,190-2-8, besides a balance of stock of books on hand worth Rupees 10,889-6-11. This, however, shows nothing but the unappropriated balance available for improving the machinery of the department, and is no criterion of the success of its administration. It is matter of more satisfaction to note that the average of monthly receipts is higher (although some of the fees have been reduced) in the period embraced in this Report, than in those for the first three months of 1866 and the last six of 1865. The expenditure has been advancing in greater proportion from increased establishments and a large outlay in books and presses.

Receipts and Expenditure.

7. The receipts and expenditure of each month are shown below :—

V.

Months.	Receipts.		Expenditure.		Surplus.		Deficit.	
	RS.	A. P.	RS.	A. P.	RS.	A. P.	RS.	A. P.
April 1866.....	23,892	4 9	*12,764	0 5	11,128	4 4		
May	20,556	6 6	12,659	6 0	7,897	0 6		
June	26,306	3 0	15,823	6 10	10,482	12 2		
July	25,121	15 6	17,129	3 7	7,992	11 11		
August	25,229	4 6	16,820	6 8	8,408	13 10		
September	19,228	2 6	15,785	4 0	3,442	14 6		
October	21,339	13 0	12,792	3 3	8,547	9 9		
November	18,662	8 0	12,812	11 10	5,849	12 2		
December	21,476	15 0	21,928	4 4	.....	.....	451	5 4
January 1867.....	22,872	11 0	15,658	10 3	7,214	0 9		
February	23,157	6 6	18,727	13 9	4,429	8 9		
March	17,226	9 0	19,894	12 8	.....	.....	2,668	3 8
Total.....	2,65,070	3 3	1,92,796	3 7	75,393	8 8	3,119	9 0

* This item is exclusive of the sum of Rupees 2446-7-2 on account of remuneration paid in April to Judicial Registrars and Moonsiff Sub-Registrars, hence the difference between this and the cost shown in the four months' Report, No. 62, of January 10th, 1867.

8. The details of expenditure will be found in the last columns of Statement A*, and in greater detail in Statement B,* where the actual expenditure on stationery and dead stock in each district has been approximately debited to it.

* Appended.

9. To this I have to add the part of the remuneration of Judicial Registrars and Moonsiff Sub-Registrars (sanctioned from February 1865 by the Government of India in June 1866), which belongs to the first half of the year under report. The total sum paid under this head in the year 1866-67 was Rupees 36,489-6-4, of which about Rupees 25,542-9-4 are on account of the year 1865-66, and the remainder, Rupees 10,946-13-0, are debitable to 1866-67.

10. And in order to give the whole cost of the department, I have obtained from the Superintendent of Stationery a Return of the value of paper supplied for printing the Register Books.

Balance.

With this included, the total cost was Rupees 2,14,880-0-7 out of a total income of Rupees 2,65,073-3-3, being a balance of Rupees 50,190-2-8 as already stated.

11. I shall have more to say on increasing than reducing the cost of the administration. I will only say here that the expenditure for presses, seals, &c., will not recur for many years, and that the cost of books and printing will be reduced, as soon as the forms are finally settled, and the demand is better known. The charge for temporary Carkoons was scarcely as much as was absolutely necessary to bring up arrears, the establishments in Bombay especially being quite inadequate. This item will probably be transferred to permanent establishment on proposals which I am about to submit. The percentage drawn by Sub-Registrars I shall presently show to be very moderate—six-sevenths of them getting an average of less than Rupees 25 per mensem, of which they pay half to their establishment. There is one financial matter, however, which must not be overlooked in considering reductions. This is that, although every district, except Punch Mahals, has a surplus on the whole, there are 54 Sub-Registry Offices which have not paid their expenses in the six months during which the work was done by Revenue Officers, and 47 of these are Offices under the Revenue Head Carkoons.

12. This is not peculiar to Bombay, as there are two whole districts in the North-Western Provinces, and 12 in Bengal, which do not pay their expenses; but I think it indicates that the Head Carkoon Sub-Registrars do not extend the operation of the Act as far as it might be extended by special agency, and strengthens the common opinion of the Collectors against the employment of the Head Carkoons.

13. I have already called the attention of the Registrars to the state of the above Offices, and invited their suggestions to make the agency of the department in these places more efficient.

System of Registration.

14. I will now proceed to consider the success of the administration, and compare it with that in the other Presidencies, under two heads—

I.—The System. Does it encourage Registration?

II.—The Agency. Is it efficient and improving?

Proceedings of the Madras Government, Judicial Department,
20th January 1868.

15. I open the first subject by referring to the Comparative Statement below, which shows that, if we compare the area and population with the number of instruments registered, the work of the year in Bombay compares favorably with that in other Presidencies. But I wish to make much more use of this Statement than merely to note that fact.

16. The most important column in this Statement is that which shows approximately the average fee paid for each instrument registered, and I wish it to be examined in connection with the next Statement below, which gives the amount of *optional* registration for the year in each Presidency. It is clear that compulsory registration is limited only by two conditions—the number of instruments executed, and the diffusion of the knowledge that they *must* be registered—and I have described above the means I have taken to spread the knowledge of the Act. But optional registration may as easily be nipped by excessive fees as any branch of industry by an excessive duty.

VI.

Province.	Area, square miles.	Population.	Number of Registrations in eleven months.	Number in twelve months, adding one-eleventh.	Fees paid for the Registration.	Average for each Registration in round numbers.	Surplus of Receipts over Expenditure.	Remarks.
					Rs. A. P.	Rs.	Rs. A. P.	
Bengal...	193,209	37,705,606	166,979	182,158	1,79,578 8 0	1	*52,745 2 10	The Reports for Bengal and Madras are for 11 months; that for North-West Provinces for the calendar year 1866; that for Bombay for 12 months ending March 31st, 1867. The fees are for 11 months in the two first, and for 12 in the latter two Provinces.
North-West Provinces...	82,941	30,007,871	...	118,997	1,75,711 0 0	1½	63,652 11 6	
Madras...	124,250	22,644,519	100,557	109,698	2,00,000 0 0	2	23,300 5 6	
Bombay...	76,367	11,000,000	...	69,188	2,24,163 8 3	3½	50,190 2 8	

* The Bengal Registrar General shows a surplus of Rupees 86,000, but without deducting the charge for printing and stationery, which he says forms one of the heaviest items. If the Bombay charge for printing and stationery is deducted from this surplus, it leaves the above balance.

17. While it has been shown that the year's results in Bombay compare favorably with those of other Provinces, the optional registration compares unfavorably, except with Madras. I regret that I cannot show in each case the average rate of fee per instrument in each kind of registration done last year. In Bombay the rates near early as shown in the margin. In Madras the rate for optional registration cannot be very much lower.

Registration of instruments affecting immoveable property—		Rs.
Compulsory...	...	3½
Optional...	...	2½
Registration of instruments affecting moveable property...	...	1½

Proceedings of the Madras Government, Judicial Department,
20th January 1868.

VII.

	Optional Registration of instruments affecting—		Total.	Rate of fee.	Remarks.
	Immoveable property.	Moveable property.			
	No of Registrations.	No. of Registrations.			
Bengal.....	45,234	28,775	74,009	When the value does not exceed Rupees 25, 4—Ditto exceed Rupees 25, but under 100, 8 Annas.	Money Bonds, a rising scale <i>ad valorem</i> . Plus a charge for copying into Books at one Rupee for 1200 words, 20 per cent. The Reports unfortunately do not give the means of showing the average amount of fee for each registration.
North-Western Provinces.....	26,947	41,719	68,666	Instruments under Section 18, Clauses 1, 2—8 Annas. Ditto, Clauses 3, 5, 7, a rising scale, but where value or annual rent does not exceed Rupees 500, Rupee 1.	
Madras.....	Detail not given.		30,928	If not more than 300 words, Rupee 1; over 300 words, four Annas per 100 words, or part thereof.	
Bombay...	11,458	3,062	14,520	For instruments affecting immoveable property, six Annas per folio of 72 words; minimum, Rupees 2-8-0. Ditto moveable property, three Annas per ditto; minimum, Annas 12.	

18. In Bengal and the North-Western Provinces the highest fee for optional registration of instruments affecting immoveable property is only eight Annas, and a Money Bond for a value not above Rupees 500 is registered for one Rupee. In the first case the fee in Bombay would be at least Rupees 2-8-0, and in the last would be 12 Annas, whatever the value; and the average rate appears to be Rupees 1½.

19. The reason of this is that the same fee (of six Annas per folio of 72 words) is charged in Bombay for *all* instruments affecting immoveable property, whether registration is compulsory or optional. I would not alter the rate for compulsory registration, which may be whatever Government please, if not oppressive, and an average of Rupees 3½ does not appear to be too much. But I think that all optional registrations should be charged for at one rate, which should be such as not to outweigh the advantage of registration, in the public mind. Two Annas per folio of 72 words, with eight Annas as a minimum, might be tried as an experiment.

20. The registration of wills and authorities to adopt also falls under the head of optional registration, and here, again, the Bombay public appears to be deterred by an excessive fee, as the marginal Statement will show, if it is read with the Statement overleaf, in which the comparison of the Fee Tables is continued. I would recommend, as payment for extra trouble and responsibility, an extra fee of Rupees five (besides the ordinary fee for any registration done) for each of the processes of depositing, withdrawing, and opening wills and authorities to adopt.

When such documents or merely brought for registration, open in the ordinary manner, I cannot see why any extra fee should be charged.

	Bengal.		North-Western Provinces.		Madras.		Bombay.	
	11 Months.		12 Months.		12 Months.		12 Months.	
Number of deposits of wills and authorities to adopt.	127	89	38	19	38	19	38	19
Number of registrations of wills and authorities to adopt.	318	117	94	27	94	27	94	27

VIII.
COMPARISON of the Fee Tables of the different Provinces.

	Bengal.	North-West Provinces.	Madras.	Bombay.
1. Inspection, a search... ..	1 Rupee.....	1st hour, 1 Rupee; each subsequent hour, 8 Annas.	1 Rupee	Inspection (Section 65) 1 Rupee. Search, for every year of which the Register is searched, 1 Rupee. 4 Annas per folio of 72 words, minimum fee Rupees 2.
2. Granting copy.....	1 Anna per 100 words Vernacular. Ditto English.	1 Rupee per 1200 words, Urdu. 750 ditto, English, Hindee, &c.	4 Annas per 100 words.....	An extra fee equal to the ordinary fee.
3. Registration by— A Registrar General..... A Registrar..... Special Registration, Section 52.	5 Rupees additional..... Double the ordinary fee, or Rupees 2 additional if the ordinary fee exceeds that amount. No extra fee.....	{ Registrar General, Rupees 10 additional. Registrar, Rupees 4 ditto. ... An extra fee equal to the ordinary fee. No extra fee.....	Registrar General, Rupees 10 additional. Registrar, Rupees 5 ditto. An extra fee equal to the ordinary fee. No extra fee.....	An extra fee equal to the ordinary fee. Ten times the ordinary fee.
5. Registration or acceptance of deposit at a private residence (Section 33).	Under Section 33, Rupees 10. Under Sections 35, 39, if the person is physically unable to attend the Office or is confined in Jail, 5; otherwise 10.	(a) When certificate of sickness is produced, or the person is in Jail, Rupees 5. (b) When the person is exempted by law from appearing, Rupees 10.	For attending at a private residence, Rupees 10. If a female is employed, a further sum of Rupees 5.	(a) By a Registrar, Rupees 15. (b) By a Sub-Registrar, Rupees 5.
6. Attendance at private residence or Jail, Sections 33, 35, 39.	General, Rupees 2..... Special, " 1.....	General, Rupees 2..... Special, " 1.....	General, Rupees 1..... Special, Annas 8.....	General, Rupees 2. Special, " 1.
7. Attestation of Power of Attorney.	(a) Rupees 2..... (b) " 2..... (c) " 4.....	(a) Rupees 2 and copying fee. 2... .. (b) " 2... .. (c) " 4... ..	(a) Rupees 5..... (b) " 2..... (c) No special fee.....	(a) Rupees 15. (b) " 10. (c) Rupee 1 per folio of 72 words; minimum, Rs. 15.
8. Wills and authorities to adopt.				
(a) Depositing sealed cover ...				
(b) Withdrawing ditto.....				
(c) Registering ditto				

*Proceedings of the Madras Government, Judicial Department,
20th January 1868.*

21. The publicity of the Act, and the judiciousness of the fees, appear to be the chief points in the system which the local Administration is able to regulate, and I now proceed to the second head—the Agency.

22. I again begin my remarks by referring to a Statement (opposite) which contrasts the Agency employed in registration. Agency in the different Presidencies.

23. In Bombay, the Registrars are the Collector-Magistrates ; and of the 175 Sub-Registrars, 45 are special Officers holding no other situation, and the rest are the Revenue Head Car-

koons. The Registrars have fixed establish-

• Except four in the Island of Bombay:

ments paid by Government, but the Sub-Regis-

trars* employ and pay for their own establish-

ment out of their allowance of 20 per cent. of the gross fee collections.

*Proceedings of the Madras Government, Judicial Department,
20th January 1868.*

IX.
AGENCY.

Registrars.	Sub-Registrars.	How remunerated.	Number of Districts.	Number of Sub-districts.	Number of square miles to each office.	Remarks.
1 Bengal, Collector Magistrate.....	{ (1) Thirteen Special..... (2) 115 Ex-officio.....	{ Salary Rupees 200 per men- sem. 25 per cent. of fees (average Rupees 30½ per mensem).	53	128	1,095	{ In Bengal, the Sub-Registrar's establishment is fixed and paid by Government.
2 North-Western Provinces, District Judges... ..	{ (1) Uncovenanted Judicial Officers. (2) Cantonment Magistrates. (3) Tahsildars...	{ Half the fees (highest sum drawn, Rupees 445 per month)	26	195	375	{ In North-Western Provinces and Madras, the Sub-Regis- trars receive half the fees, and pay their establishment out of it.
3 Madras... { Sub-Collector... .. Head Asst. Collector Deputy Collectors... ..	{ (1) 23 Special Sub-Registrars (2) Tahsildars... .. (3) Sub-Magistrates... ..	{ Half the fees (average Ru- pees 30½ per month)	22	317	369	
4 Bombay.. { Collector Magistrate, Sub-Collectors.	{ (1) Special Sub-Registrars... (2) Mamuludars, Head Car- koons, and Mahalkurries	{ Salaries Rupees 15, 20, 50, and 75 ; and 20 per cent. of fees.	18	175	395	{ In Bombay, the Sub-Registrars receive, besides salary, 20 per cent. of the fees, and pay their establishment out of it.

24. A Registrar should not be stationary, and, therefore, he should not be a District Judge; he should be able to visit all parts of his district, and, therefore, he should not be a Sub or Head Assistant Collector; and for these two

Registrars.

reasons, and because he ought to be an Officer of high authority, he should not be a Deputy Collector. I, therefore, prefer the agency in Bengal and Bombay to that in the North-Western Provinces and Madras.

25. But whoever the Registrar is, unless he thoroughly performs the duty of inspection, registrations will not prosper in his district. The Registrar's original work is very trifling, and his chief duty is to exact the Sub-Registrars' periodical returns with rigorous punctuality, and inspect their offices at least twice a year.

26. As to inspection, 11 out of 17 Mofussil Registrars report that they inspected more or less of their Sub-Registrars' offices during the year. The rest did not find time to inspect any.

27. As to control of the returns, Government are aware that Sub-Registrars are required to transmit fortnightly two copies of their indices for that period to the Registrar. He keeps one copy and sends the other to the Registrar General. These copies are the base of the index system of the department. I can only say that some of my Registrars are quite equal to those of whom my Bengal colleague writes—"Notwithstanding the stringent provisions of the law and rules on the subject, I have not yet received a single index slip from any of the offices named in the margin, and there are several other offices from which I do not receive them with any sort of regularity."

28. However, I have to note many exceptions, and to acknowledge the assistance and suggestions I have had from several Registrars, and something must be condoned on account of the insufficiency of the establishments, which are of the same strength in all cases whatever the work. It is clear that they should be classified.

29. I intend to propose to give to each Registrar one efficient clerk, who shall be competent to prepare the Sub-Registrar's records for the Registrar's inspection, and to add others in proportion to the work of each district. When this is granted, there will be no defect in the machinery as far as I can judge, and I hope Government will support the Registrar General in requiring rigor, punctuality, and frequent inspections, on which subject I will propose some rule for approval.

30. My own inspection has been limited this year by other heavy duties, of which Government is well aware. I visited Sub-Registry Offices in Tanna, Surat, Canara, and Khandeish, but this was quite insufficient. I should regret it the more, if I did not think that inspection would have been less useful before or during administrative changes than when the system is settled. In the coming season, the Registrar General will probably not be fettered by other duties.

31. Whoever administers the department will, I am sure, be convinced that incessant inspection is the first condition of success. The procedure is very simple, but perfect uniformity of practice is not secured without care and trouble; for two Officers may do the same thing in two ways, neither erroneous, but sufficiently discrepant to impair the symmetry of the record and cause immense inconvenience.

32. The appointment of the Mamludars and Mahalkurries' Head Carpoons to be Sub-Registrars was an experiment, and I think it has been very useful in allowing me time to substitute special Officers by degrees and by careful selection.

Sub-Registrars.

Many of the Collectors complain that the Sub-Registrars neglect their revenue duties; and the substitution of special Officers where the registration work is heaviest, which has been going on from the first, will gradually confine the registry by Head Carpoons to places where registration is not likely to be largely extended.

33. I have shown above that, in 46 offices under Head Carpoons since October 1st, 1866, the receipts have not equalled the expenses, and I think that the salary may, in most of these cases, be reduced to 10 or even five Rupees. But this, and the re-adjustment of the offices, will be

separately considered. I need only say here that the pay of the new Special Officers has so far been provided out of the sanctioned amount by aid of the recent re-adjustments of territorial boundaries.

34. The Mofussil Special Sub-Registrars draw Rupees 75 and 50 fixed salary, and the Head Carpoons Rupees 20 and 15, and 20 per cent.

Average amount per month.	Number of Sub-Registrars drawing that amount.	Special or Head Carpoons.
Over Rupees 100..	1	Special.
" 50, under 100..	4	"
" 25, " 50..	17	{ 16 " Special. 1 Head Carphoon.
Under 25 ..	153	{ 19 " Special. 134 Head Carpoons.

of the fee collections, out of which they pay their establishment. I have analyzed the amount thus drawn from the fees, and give the result in the margin. As probably half of the sum shown is appropriated to establishment, the emolument appears very moderate—the highest pay drawn by a Bombay Sub-Registrar being Rupees 128-8-0.

35. But I have found that the appointments are greatly coveted by respectable Natives.

The work is easy and independent, and involves no travelling nor anything else repugnant to Native tastes. With a view to extending the number of Special Officers, I have recently been inviting educated Natives to become candidates, and have registered several names for every appointment there is likely to be.

36. I therefore conclude that the pay is sufficient, and I have been in a position to apply for a list of candidates to the Department of Education, and to institute an examination in the Act and Rules for probationary Sub-Registrars. I have no hesitation in stating that the prospects of this part of the Agency are very satisfactory.

37. The plan of requiring the Sub-Registrars to employ out of the fee percentage an establishment sufficient to do the work without arrears has been perfectly successful in preventing the accumulation of arrears. The registers have been neatly kept, as far as my experience goes, but this will be more fully observed and reported after another year.

38. The Sub-Registrars of the Island of Bombay require special notice. I think the results

Registrar	Number of Registrations.
Sub-Registrar, Fort and Colaba ..	391
" Bhooleshwur ..	422
" Mahim ..	3,063
" Mazagon ..	278
" ..	434

will convince Government that the time is come for re-adjusting the Sub-Districts, as one Sub-Registrar had more business than all the others and the Registrar put together. A large amount of registration will always be offered at the Registrar's Office, because the Solicitors'

offices are in the Fort, and the work has been increased this year by a proportionate diminution in registrations by the Registrar General. Bhooleshwur comprizes the whole of the Native mercantile quarter. Mahim, on the contrary, is a thinly populated locality, where little business is done, and one Officer could undertake this and Mazagon together, while the other might take a part of the Bhooleshwur Sub-District. Proposals on the subject will be submitted separately.

39. In concluding my remarks on Agency, I note that 133 appeals were made during the year from Sub-Registrars' orders of refusals to register; the number of refusals to register being 4,034. The Registrars in 60 cases ordered registration. There were 190 petitions to the Civil Courts against orders of Registrars, and in 112 cases the Court ordered registration. It must be remembered that in some cases where a Registrar is bound in the first instance to refuse registration, the Court is competent, on petition, to order him to admit the document.

Appeals from the Registering Agency.

40. There are two matters of general interest on which I shall next remark, viz.:—

I.—Special registration.

II.—Memoranda of decrees and orders of Court.

41. Special registration is comparatively rather backward in Bombay, but the progress for the year is satisfactory. Madras is suffering from an increase of fees. The opposite result

Special Registration.

has ensued in Bengal from lowering the fees, and the same improvement may be anticipated in Bombay. I have had some correspondence with the First Judge of the Bombay Small Cause Court, with a view to facilitate the operation of the Section. Delay is still caused by requiring translations of the promissory notes on which special agreements are endorsed, which seems unnecessary in any case when the Judge is familiar with the language in which the note is written.

42. The registration of Memoranda of the decrees and orders of Court is in a very satisfactory state in Bombay. I had some trouble (which my colleagues have felt also) to arrange conveniently how the costs attending such registration shall be collected and paid, and what they shall be. The fee for registration has been lowered from Rupces 2-8-0 for each Memorandum,

NUMBER OF MEMORANDA.		
	Section 41.	Section 42.
Bengal	924	19,147
Madras	60	13,142
Bombay	98	13,620

which was found oppressive in suits for small sums, to one Rupee. This is collected by the Nazir when the suit is filed, and paid by him into the Treasury, and he sends a Treasury Receipt with the Memorandum to the Registrar, who takes credit for the fee in his accounts. The fee for every copy to be made for other offices was fixed at eight Annas per copy, which removed the difficulty of counting the number of folios in a document before it was written. It is curious to observe how adverse the atmosphere of the Original Jurisdiction of High Courts is to the sending of Memoranda. During the year under report none were sent to any Office in the Island of Bombay nor in Madras, and only 109 in Calcutta. In Bombay, they have now begun to flow.

43. I shall now proceed to notice what requires attention in the Act, Rules, Rooks, Indices, Fee Table, and other minor matters.

44. Both the Act, and the rules framed in accordance with it, are, in my opinion, efficient for the purposes of the Legislature. Their object is, first, to endorse on the instrument conclusive evidence that it is admitted by the executing party to be genuine and correct; next, to preserve an exact transcript of this evidence and of the instrument; and, lastly, to provide a perfect system of indices to the record thus formed.

45. Whenever there is anything so wrong about the instrument or its execution that the Registering Officer is bound to reject it, an appeal is so provided,* that the holder is brought at once to lay the case before the Civil Court, whose decree can protect him from any vexatious obstruction caused by the executing party. A dispute as to execution, consideration, and the like, is thus brought to immediate issue.

46. Registration duly completed, a copy of the more important class of instruments (those which affect immoveable property) is preserved in the office of every Sub-District in which any part of the property is situated.

47. Any person who desires to know what instruments have been executed affecting such property, may refer, either by the names of the executing parties, if he knows them, or by that of the village in which the property is, to the indices of any Sub-District or District in which any part of the property is situated, or to the general index of the Central Office in Bombay. The same indices will guide him to a Memorandum of any decree or order of a Civil Court which affects the property.

48. If any of these instruments have, since registration, been cancelled or limited by an order or decree of Court, the searcher will find all particulars of such order or decree noted in the margin of the Register book, opposite the transcript of the instrument.

* If immoveable property is concerned.

49. I have found no difficulty in regulating the practice of the department in strict conformity with the Act. It is perhaps a defect (already brought to notice) that when a registered instrument is declared a forgery in a Criminal Court, the alleged executing party cannot have it marked as such in the Registry books without obtaining the decree or order of a Civil Court. I have noted one other error in the language of the Act. In Section 82 it is enacted that a Registering Officer need not give (with a view to appeal) a copy of his reasons for refusing to register an instrument *which he has a discretion to refuse to accept for registration*. As it stands, a Registrar is not bound to give a copy of his reasons if he refuse for other reasons to register a document which he has accepted, under the discretion allowed him by Section 32. The expression should be, "except he refuse it in the exercise of a discretion allowed to him."

50. Other Registrars General have found the following difficulties:—

Bengal. I.—The Registrar General, in noting the useful stringency of Section 21 (prescribing the manner in which immoveable property shall be described in a deed), regrets that the descriptions returned by the Civil Courts under Section 42 do not always come up to the requirements of the law. They are required to do so "as far as may be practicable." But I have found that in case of certificates of sale of immoveable property (Act VIII of 1859, Section 259), which must satisfy Section 21 entirely, and not only as far as practicable, the Judges are unwilling to adopt, in reading Section 213 of Act VIII, the definition of a description "sufficient to identify" given in Section 21, and consequently the certificates often cannot be registered and are void. One Judge has pointed out that the full description may be obtained under Section 249, the proclamation of sale under which may be required to contain "any other particulars the Court may think necessary."

II. He remarks on the vagueness of the term "presentation," and the doubt whether the periods of limitation apply to the appearance of executants under Section 36. They clearly do not apply to it—see Section 66. The difficulty is, in plain terms, that, after a document has been put into an Officer's hands for registration, there is no provision to limit the time within which those persons must present themselves whose signature he has to obtain on it, in order to complete registration. Section 16 says they may appear "from time to time." My predecessor used to refuse registration if they did not appear after due notice, but this seems illegal. I have tried to meet the difficulty by an extra fee or penalty, imposed "if the Registering Officer be not desired to apply for a summons* within one month from the date of the presentation endorsement," and increasing as the delay is protracted.

III. He remarks that, though an executant may be produced by summons, and may even admit execution (Section 36), yet he cannot be compelled to sign the endorsement (Section 66) and then registration has to be refused. He thinks the law should be amended. I do not agree. In all important registration, there is a right of petition from the Registrar's refusal to the Civil Court, which can order registration if the petitioner has complied with the requirements of the law, and, therefore, clearly whether the executant signs or not. The executant probably refuses to sign under a sense of injustice, and it is right that the Court should hear evidence before registration is ordered.

IV. He remarks that, while Section 57 requires that every document presented for registration be copied without delay, the entries in the register and indices may have to be cancelled if registration is refused. It is not the practice here to cancel such entries. A Court may reverse the refusal, and order registration to be completed.

W. Provinces.—The Registrar General considers Section 82 imperfect, because it does not allow a Registering Officer to cancel his order of refusal if a superficial reason for refusal is removed, e. g., if the defective stamp or description under Section 21 is

* To be in the attendance of the executing parties.

rectified. I got over this difficulty by making *presentation* a formal act after the presenter has had an opportunity of discovering superficial defects. If he does not agree with the Registering Officer that the stamp is deficient, he will present the document, meet a refusal, and appeal. If he does agree, he will take it away, and not present it until it is corrected.

Madras.—The Registrar General remarks on the issue by Revenue Officers of summonses to persons whose presence or testimony is required in registration; that the term Revenue Officer is vague; and that the High Court have ruled that a Tahsildar, as a Revenue Officer, is not competent to issue a summons, and that disobediences to such summons is not punishable under Section 174 of the Penal Code. "Revenue Officer" is defined by Bombay Rule 57, and no difficulty has been found. In some cases recusants have been punished under the Penal Code.

51. The Rules were very ably framed before the commencement of Act XX, and have required little alteration. In June 1866, I submitted, by direction, amended forms of Rule 6, to define the territorial divisions by which

houses (not in towns) and lands are to be described under Section 21, and of Rule 30, which was designed to limit the Registering Officer to his proper function, and to restrain him from considering the validity of instruments presented for registration.

52. It was necessary to devise a check on the Sub-Registrars' fee collections and their claim to percentage on them. This was done in October 1866 by three additional rules, which directed that every Sub-Registrar shall forward to the Registrar, at the end of each month, a form which both shows his total collections for the month, and is a bill for his percentage. This form is signed by the Treasury Officer to whom he paid his collections, and is the receipt for them required by Rule 54. The Registrar (by reference to his Account Office as Collector) checks the collections of the month, and presents a general percentage bill (countersigned by the Deputy Collector) for all the Sub-Registrars. A copy of the general bill is sent to the Registrar General with the District Registration Return of the month. By Rule 21, the Sub-Registrars have to pay in their collections daily, and I have directed that, as each fee is taken, the amount shall be noted in form of a receipt, signed by the Registering Officer on the face of the instrument registered. Finally, the inspecting Officer can always ascertain whether a sufficient fee has been charged by counting the folios of the copy of any instrument in the Register books, and comparing the result with the entry in the Sub-Registrar's Day Book and Accounts. The control thus secured seems to be complete.

53. On October 1st, the first Carkoons of the Talooka Cutcheries in most cases became Sub-Registrars. Six additional rules were sanctioned to regulate the time and means they should devote to their registration duties, and to prohibit an improper use of their official position to get the registration done cheaply and badly.

54. In May 1867, I obtained sanction to a rule which empowers Registering Officers to reject any document on which the blank space is manifestly inadequate for the entry of the endorsement and certificates. Some inconvenience had been reported, and as the above entries are to be made before registry is completed, a space on which to make them may legally be required. The rule is as little stringent as possible, and does not, like the corresponding Madras rule, require blank space of specific dimensions.

55. This is all that I have added to the rules, but there have been several important departmental orders which will be noted in their places, and may, with advantage, be submitted for confirmation as rules. I am aware of only one alteration in the rules which is now desirable, and this, with suggestions for a few additions, I will bring forward separately.

56. The following rules in other Presidencies seem to me questionable, perhaps illegal:—

Bengal, Rule 12.—The description specified in Section 21 may be dispensed with if the identification is complete without it.

Bengal, Rule 75.—A document not claimed for one year after the completion of registry may be destroyed.

Madras, Rule 59.—If an instrument tendered for registration does not contain such a description of the property as is required by the above rules, the parties executing the same shall be allowed to append the necessary description in a schedule.

57. As I found that the practice of ordering each book as indented for to be sent from the Bombay Education Society's Press led to delay, I, in May last, took over the supply of books, and established a Stationery Supply Branch in

my own Office. To reduce correspondence and check the issue of books, I devised the Book Indent, of which a specimen is appended. A register, in the same form, is kept in the General Registry Office, and in that of each of the Registrars.

58. The expense of books has so far been very heavy. I think that, when the most convenient forms and sizes are quite settled, it will be expedient to have the supply half-yearly from England. It is difficult to acquire any stock in Bombay, and expensive to send each book as it is required. I succeeded, however, in sending a half-year's supply to each Registrar before the rains set in.

Expenditure on Books and Stationery.

	Rs.	A.	P.	
				Not stated.
Bengal...	...	...	...	Eleven months.
North-Western Provinces...	30,111	10	7	
Madras...	28,528	14	6	
Bombay...	33,254	13	2	

59. The indices are of special importance, for the usefulness of the whole department depends upon their correctness. The aim of the Act is that the index of every office should contain a reference to every document affecting im-

Indices.

moveable property with which it is concerned; the Registrar General's index, to all such documents without reserve; the Registrar's, to all affecting immoveable property in his district; the Sub-Registrar's, to all affecting immoveable property in his sub-district. Miscellaneous documents are made of less account, and are only indexed in the office where they are registered.

60. The Act directs that, periodically (in Bombay fortnightly), Sub-Registrars shall send to their Registrars two copies of their Indices I and II (in which are indexed all documents affecting immoveable property) for the fortnight past. The Registrar keeps one copy, and sends the other to the Registrar General, to whom he also sends a copy of his own Indices I and II for the fortnight.

61. But the Act leaves to the discretion of the Registrar General much of the detail necessary to make the indices convenient for reference, and, more especially, he decides whether, and how far, the principal indices compiled from day to day shall be transcribed afresh when the year ceases.

62. In Bengal, the whole of the current indices in all offices are, at the end of the year, completely written in alphabetical order. In Madras, the best arrangement feasible is made of the actual copies and original indices. The Bombay practice combines elements of both plans, and I will more particularly describe it.

63. The original current indices are in the form of lettered loose sheets. A Registering Officer makes entries on a sheet *A* until it is full, and then tacks to it a second sheet *A*, and so on. At the end of the year, when all the sheets *A, B, C*, are bound together in order, the Sub-Registrar has an index alphabetically arranged by the *first letter* of the index word, but not by the *second or third*. The index is, therefore, not *perfectly* alphabetically, but it is sufficiently so for all useful purposes, for I suppose that the slight imperfection would not cause five minutes difference in a search of the index of the hardest worked Sub-Registry office in the Presidency.

64. At first, I ordered the Sub-Registrars to send their fortnightly copies with the *A* entries on a sheet lettered *A*, and so on. But as generally there were but one or two entries under many of the letters, the accumulation of blank paper in these copies was enormous, and this defect must be felt, I suppose, in Madras. The bulk of the General Registry office index, which is made up of a complete set of these copies from every office, must be terrific.

65. For this reason, I now make the Sub-Registrars copy their indices straight on upon unlettered sheets, which is no more trouble to them, or indeed to any one, as I had determined that the Indices I and II of Registrars and the General Registry Office must be transcribed. The copies, therefore, are made on inferior paper, not to be preserved.

66. I now come to the Registrar's indices. At the end of the year he has his own original Indices I and II, and 26 sets of copies from his Sub-Registrars' offices. All these he has been instructed to make up and transcribe into a general index for the past year. As sub-districts may alter, but districts will not, the Registrar's Annual (or Section 64) Index is made without sub-divisions, and contains, in perfect alphabetical order, every entry in Indices I and II throughout the district.

67. Sometimes a document is registered by a Registrar, and copies of it sent to one or more of his Sub-Registrars. In this case, the document is indexed by each of these Officers, and in the Registrar's Annual Index appears twice or oftener. To keep such entries clear, I have directed that index entries of registration of copies shall be in red ink. In the Registrar's Annual Index, therefore, such an entry would first show in black ink registration by the Registrar, and next below in red ink registration by each Sub-Registrar concerned. In the red ink entries the first columns of the index, giving name of executing party, &c., will not be filled in, but only the last, which gives the office where registered, date of registration, number of book, volume, page, and serial number.

68. The same description applies to the Annual Index of the General Registry Office, except that copies of both Registrars and Sub-Registrars' Indices have to be transcribed, and here, as the index is more bulky, a volume or sub-division will be made for each district.

69. The current indices for the last quarter of 1866 have been transcribed by the Registrars on this plan, and it appears to be successful.

70. I found the lettered sheets in use to be incomplete. I, therefore, prepared a complete set and issued to the Registrars a Transliteration Table giving all the letters in Mahrathce, Guzera-thee, Canarese, and Hindoostanee, opposite the corresponding English letter.

Fee Table.

71. The Fee Table has been already considered, but one or two remarks remain to be made.

(a).—In November 1866, the fees for attesting Powers of Attorney were lowered from Rupees five for general, and Rupees three for special, powers, to Rupees two for the former and one for the latter. The new rate is the same as that in Bengal and the North-Western Provinces.

(b).—I think that the Bombay fee for registration or attendance in any other place than the Registry Office (Sections 33, 35, and 39) is high and indiscriminating. There seems no good reason for leaving for registration ten times the ordinary fee as well as a heavy *douceur*, and when a person whose evidence must be taken is sick or in prison, it is harsh to make an enormous charge over expenses incurred for what cannot be avoided. I would take as extra fee only twice the ordinary fee, and charge as a *douceur*, for attendance for a Registrar, Rupees 15—Sub-Registrar, Rupees 10—besides travelling expenses. If a satisfactory certificate of sickness is produced, or the person visited is in Jail, I would make the *douceur* Rupees five only.

(c).—The extent to which the public have made use of the registration record is in some

		Searches, Inspections, and Copies granted.	
		Searches and Inspections.	Copies.
Bengal (11 months)...	...	2,859	8,775
Madras..	...	639	1,479
Bombay...	.....	558	1,037

measure connected with the subject of fees. I give a Comparative Table for three Presidencies in the margin. The result in Bombay and Madras is unfavorable as compared with Bengal, but I do not recommend that the fee be lowered until the experience of another year is recorded.

(d.)—As to the general merits of the system of fees at so much per folio (which exists in Bombay only), as compared with that of fees according to value, I am of opinion that the principle of charging according to the labor undertaken is the most correct, and I cannot see how so low a fee as four Annas (in Bengal) can cover the expense of copying a document on the length of which there is no restriction.

72. Sunnuds, granted by Government, affecting immoveable property of the value of Rupees 100 and upwards, must be registered under Act XX. This fact assumed considerable im-

portance in Bombay, because of the issue at this time of numerous Sunnuds to holders of alienated land, whose claims have been compromised under the Summary Settlement. As Government thought it a breach of contract to put such holders to expense—but the Act does not admit of gratuitous registration—it was settled that a nominal fee of one Anna should be charged for registering each Sunnud. The number of Sunnuds registered at this rate up to March 31st was 519, and the fees at one Anna were Rupees 32-7-0. The fees at the full rate would have been Rupees 1,130-9-0.

73. The metal dies, prepared in England from impressions of the boxwood seals made at the School of Art, arrived in January, but as they had been ordered under the old Act, the

legend of the Registrar's seals ran 'Seal of the District Registrar of,' whereas they are entitled under the new Act 'Registrars' simply. I sent one seal to the Mint to have the word 'District' cut out, and three stars substituted. As the experiment succeeded perfectly, I had all the seals similarly treated, and they are now being forwarded to the Registrars. Each seal is mounted in an endorsing machine in a case with lock. A sheet of impressions is appended.*

74. During the year, 19 registered instruments were declared by the Civil Courts to be invalid or forged. The Special Sub-Registrar of Belgaum was dismissed for being concerned in registering a forged instrument.

75. The Registrar General of Madras is exceptionally fortunate, in that his Government, have approved a plan and estimate for a General Registry Office, and directed that provision be made for it in the Budget of 1867-68. The Bombay General Registry Office is at present, with other Public Offices, in the Town Barracks, where no inconvenience is experienced, but, of course no special precautions can be taken against fraud or fire. The accommodation for the Sub-Registrars will be separately considered.

76. Any detailed information which may be desired will be found in the following Statements which are appended to this Report.†

77. I have not included any notice of the nine months registration, since July 1st, 1866, in the Province of Scind. The Branch Registrar

Registration in Scind.

General has been good enough to send me a brief report and a table, but the information is not in a complete state, and must be treated separately. It has not yet been decided how far the Branch Registrar General is subordinate to the Registrar General in regard to the Administration Report. Under the Act, the Branch Registrar General has been treated by me as an independent Officer, answerable for the administration of his own province, and independent in everything but the framing of Rules under Section 80. The Monthly Returns have, therefore, been made to him. I have, however, communicated to him all proceedings likely to be useful, and he has applied for advice on several occasions. I think that, in future, the Registrar General's Administration Report should include Scind, the information regarding which province should be supplied by the Branch Registrar General, but I think that the latter Officer should submit all proposals for alterations in the agency employed. I will now only state that the results financially are very unfavorable; that there is a considerable deficit; and that reductions may easily be made in the expenditure.

* Not printed.

† Not printed.

*Proceedings of the Madras Government, Judicial Department,
20th January 1868.*

78. I will follow the example of the Bengal Registrar General in including a notice of the registration of Joint Stock Companies in this Report.

The following is a Comparative Statement of the results in Calcutta and Bombay :—

	1866-67.					
	Receipts.			Expenditure.		
	RS.	AS.	P.	RS.	AS.	P.
Calcutta (11 months)...	4,118	8	0	695	1	6
Bombay...	13,476	10	0	789	10	0

Besides this, Rupees 9205, on account of fines, were credited to Government in Bombay. I have not much to note, except that, by the aid of constant reminders, the comparatively small band of surviving Companies furnish their papers much more regularly than they did in the previous year. The total number of documents registered in the year was 490. Of these, 23 were the Memoranda and Articles of new Companies.

X.

Balance Sheet of the Registration Fund up to 31st March 1867.

Dr.

Cr.

Amount.				Amount.			
RS.	AS.	P.		RS.	AS.	P.	
To surplus of receipts at the end of 1865.....	36,332	6	5	Pay to Judicial Registrars and Moonsiff Sub-Registrars paid in this year, for the period between February 1865 and Sept. 1866...	36,489	6	4
Do. surplus of first three months of 1866.....	1,92,908	5	3	Expenditure on salaries, &c., (Statement A).....	1,92,796	3	7
Receipts for 1866-67	2,65,070	3	0	Cost of paper supplied by Government for books.....	11,137	0	0
Net Receipts of Registrar of Joint Stock Companies for 1866-67.....	13,476	10	0	Expenditure of Registrar of Joint Stock Companies...	789	11	0
				Balance to credit of Registration Fund.....	92,957	7	2
	3,34,169	12	1		3,34,169	12	1

(Signed) J. B. PEILE,
Registrar General.

From E. C. BAYLEY, Esq., Secretary to the Government of India, Home Department, to the Secretary to the Government of Bombay; dated Fort William, 31st December 1867, No. 1812.

I am directed to acknowledge the receipt of the Resolution of the Government of Bombay, upon the Report of the Registrar General of Assurances on the administration of his Department for the year 1866-67, submitted under endorsement, No. 3667, dated the 29th October.

2. In reply, I am directed to state that the Governor General in Council is pleased to sanction the proposed reduction of the rate of fees for optional registration to two Annas per folio of 72 words, with eight Annas as minimum; and also the proposed reduction in the fees for depositing and registering wills, &c., proposed in paragraph 20 of Mr. Poile's Report.

*Proceedings of the Madras Government, Judicial Department,
20th January 1868.*

3. Many of Mr. Peile's suggestions regarding modifications in the law are valuable, but the new Act has hardly been sufficiently long in operation to afford any decided criterion of its normal working; and, as it is desirable to maintain as much uniformity as possible in a law of this nature, the Governor General in Council does not consider it advisable to make any alteration in it at present without previously consulting the other Local Governments and Administrations.

4. The Report will accordingly be circulated, with a request that, in reporting on the working of the Department in each Province during the current year, the Registrars General may be directed to contrast the working of their own systems with those of the other Governments on the points on which they differ, and to state the reasons for which they would recommend adherence to, or alterations of, their own system.

No. 128. ORDER THEREON, 20th January 1868, No. 80.

Ordered that a copy of the correspondence referred to in the foregoing letter be furnished to the Registrar General of Assurances, and that he be directed to conform to the instructions of the Government of India in paragraph 4 of their letter to the Government of Bombay, dated the 31st December 1867, No. 1812, in preparing his report on the working of his department for the past year.

(True Extract).

Chief Secretary.

To the Registrar General of Assurances.

Ed. J. H. Burns.

20 January 1868 A.S.

Ordered that the correspondence re:
ferred to in the foregoing letter be forward-
ed to the Registrar General of Assam
and that he be directed to conform to
the instructions of the Govt of India, in para-
4 of his letter to the Government of Bom-
bay dated the 31st Decr/57. In 1862, in forwarding
his Report on the working of his Dept for the
past year -

The Registrar General of Assam, D. 12/1

179. 128

W.D.
N.

Jan 1868

From

Secy. Govt of India.

Home Dept.

No 1374

31st Decr/67

179. 128/68

2 lines

No 412

Feb 24/9

Forward copy of the
Report of the Reg. Genl. of
Assam, Bombay, on
the administration of his
Dept for 1866-67, and is in
full accordance with the Comdg
Gd. on the subject, and
regard that the instructions
conveyed in the letter be com-
municated to the Reg. Genl.
of Assam, Madras.
With an order.