

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1807	Press
		Mis.
	25-26	
Dated	2-0-19-1863	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
2nd October 1863.*

No. 25. Read the following letter from G. S. FORBES, Esq., Collector of Ganjam, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Chatterpore, 23rd September 1863, No. 188 :—

Sir,

1. With reference to my letter of the 7th instant, No. 176, I have the honor to forward for the order of Government copy of the High Court's Proceedings, dated the 3rd idem, cancelling the sentence passed by Captain Grove in a case of the breach of the Stamp Law on the ground that he had not obtained from me, as Collector of the Stamp Revenue of the District, the authority to which the Section 52, Act X of 1862 refers, and to observe that the above Section does not empower me to delegate any authority to my Assistants as the Court seem to suppose; such authority must under the Act be delegated by Government, and the intention seems to be to enable Government to empower an Officer not already employed in the District.

2. I believe every Assistant Collector is a Collector of Stamp Revenue within the Division assigned to him in the sense of the Act.

3. Probably the case was not put before the Court in this light.

Proceedings of the High Court of Judicature at Madras, 3rd September 1863.

Read letter dated the 15th ultimo from the Session Judge of Chicacole, submitting for the consideration of the High Court, Extract of Calendar in case No. 120 on the Acting Principal Assistant Magistrate's file, as he is of opinion that the procedure is irregular and the sentence partly illegal.

The Acting Principal Assistant Magistrate, Captain Grove, not having had from the Collector of the Stamp Revenue of the Chicacole District, the authority to which Section LII, Act X of 1862 refers, the prosecution in the case is illegal, and the High Court accordingly cancel the sentence passed by Captain Grove.

(True Extract.)

(Signed) THOMAS WILKINS, Deputy Register.

(True Copy.)

(Signed) T. J. KNOX, Session Judge.

To the Principal Assistant Magistrate of Ganjam for his information.

(True Copy.)

(Signed) R. H. LYONS, Deputy Collector.

No. 26. ORDER THEREON, 2nd October 1863, No. 1,807.

Referred to the Government Pleader in continuation of G. O. 25th September 1863, No. 1,763.

(True Extract.)

Secretary to Government.

To the Board of Revenue.
" Government Pleader.

Exd. S. T. Augustin:

Stamp Revenue within the
Division assigned to him in the
sense of the Act.

Probably the case was
not put before the Court in
this light.

I have the honor to be

Sir,

Your Most Obedt Servt

4
E. J. Johnson
Per Clerk

J. S. Lewis
Collector.

1807

Referred to the

Print Pleader

no condition

of 10 25th Sept 1863

No 1463.

10/1

For the King
2 Oct 63

in Case State Prison (M.D. 1863) No 1463

No 25 126

25 Sept 1863

No 325-326.

Received 1863
of the Court
the Collector

of the Court

To the Clerk

to your name

For the Court

Dated 23rd Sept 1863

Recd 2 Oct 1863

No 188

Enclosure

Enclosure with certain
remains of copy of the Court

No 188 32 items exactly
the sentence passed by

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