

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2306

Press

~~Mis.~~

503. 504

Dated

25-9-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
25th September 1865.*

No. 503. Read the following Proceedings of the Board of Revenue, dated 15th September 1865, No. 5,734.

Read the following letter from G. L. MORRIS, Esq., Collector of Tanjore, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated 26th August 1865, No. 263 :—

SIR,

1. I have the honor to submit, for the decision of the Board, a question which has arisen with regard to the application of Section 50, Act X. of 1862.
2. A Pleader of the Civil Court at Tanjore tendered to the Court a stamped paper of the value of Rupees 50, with the view of supplying the deficiency in the value of a stamp on which an appeal petition was drawn up, and which was supposed to be of insufficient value; having entered a note to this effect on the paper first mentioned. The Court, however, considered the additional paper thus tendered to be superfluous, and returned it with an endorsement to that effect. The Pleader aforesaid has produced this paper before me, with a request that a fresh paper of equal value may be issued to him in lieu of it, under the provisions of the Section above quoted.

3. On consideration of this Section, I am unable to find, that in the case in question, the stamped paper has been rendered unfit for use by any of the causes therein enumerated. The mistake in this case has been made, not in the drawing up or copying of any deed, instrument, &c., but in determining the value of stamp required for a certain purpose. It is true that the transaction intended has been effected by another instrument. A circumstance which, under the latter part of the Section under consideration would, as pointed out in the Board's Miscellaneous Circular No. XCI., dated 23rd August 1863, entitle the claimant to the compensation provided for; but this part of the Section, it is to be observed, applies to cases in which an instrument, being actually drawn up, is not finally executed, but not to those in which a stamp is purchased and merely tendered when none was required.

1. The Board agree with the Collector that the Act contains no provision under which the Pleader's application could be complied with.
2. The only way in which the case can be dealt with is by an act of grace and bounty on the part of Government, in bestowing a new stamp of similar value to that of the spoiled stamp. The Board resolve, under the circumstances, to submit the case for the favorable consideration of Government.

No. 504. ORDER THEREON, 25th September 1865, No. 2,306.

Separate Revenue, No. 30.
Stamps.

The Government sanction the issue of a fresh stamp paper in lieu of that spoiled.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

No. 5,734.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 15th September 1865.

Read the following letter from G. L. MORRIS, Esq., Collector of Tanjore, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated 26th August 1865, No. 263 :—

1. I have the honor to submit, for the decision of the Board, a question which has arisen with regard to the application of Section 50, Act X. of 1862.

2. A Pleader of the Civil Court at Tanjore, tendered to the Court a stamped paper of the value of Rupees 50, with the view of supplying the deficiency in the value of a stamp on which an appeal petition was drawn up, and which was supposed to be of insufficient value; having entered a note to this effect on the paper first mentioned. The Court, however, considered the additional paper thus tendered to be superfluous, and returned it with an endorsement to that effect. The Pleader aforesaid has produced this paper, before me, with a request that a fresh paper of equal value may be issued to him in lieu of it, under the provisions of the Section above quoted.

3. On consideration of this Section, I am unable to find, that in the case in question, the stamped paper has been rendered unfit for use by any of the causes therein enumerated. The mistake in this case has been made, not in the drawing up or copying of any deed, instrument, &c., but in determining the value of stamp required for a certain purpose. It is true that the transaction intended has been effected by another instrument. A circumstance which, under the latter part of the Section under consideration would, as pointed out in the Board's Miscellaneous Circular, No. 1003, dated 23rd August 1863, entitle the instrument to be stamped as provided for; but this part of the Section, it is to be observed, applies to cases in which an instrument, being actually drawn up, is not finally executed, but not to those in which a stamp is purchased and merely tendered when none was required.

1. The Board agree with the Collector that the Act contains no provision under which the Pleader's application could be complied with.

2. The only way in which the case can be dealt with is by an act of grace and bounty on the part of Government, in bestowing a new stamp of similar value to that of the spoiled stamp. The Board resolve, under the circumstances, to submit the case for the favorable consideration of Government.

(A true Copy and Extract.)

R. A. Dalzell
Acting Sub-Secretary.

To W. Huddleston, Esq., Acting Secretary to Government, R. D.

Copy to G. L. Morris, Esq., Collector of Tanjore.

Exd. J. Wright.

Recd
1865.

Recd 1863. Depart
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PROCEEDINGS OF THE BOARD OF REVENUE,

No. 2640

Date: 15th September 1865.

Sept 19th 1881
Dear Mr. Wm.

No. 5,734.

Wittendor

Submitting for favorable consideration letter from the Collector of Tanjore requesting instructions in regard to the grant of free Stamp paper to a Pleader of the Civil Court at Tanjore in lieu of paper rendered unfit for use by an endorsement of the Court.

10323 & 324

21 June 2023

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MS
The Govt sanction the
issue of fresh stamps
paper in lieu of that

With regards -

25. Wilson / 65

14. To the Secretary of the Board of

55-155-10