

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2505	Press ~~Mis.~~
273-274	
Dated 16 10 1865.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
16th October 1865.*

No. 273. Read the following letter from E. B. POWELL, Esq., Director of Public Instruction, to the Chief Secretary to Government, Fort Saint George, dated Madras, 5th October 1865, No. 2,096 :—

SIR,

1. Some time ago Mr. Garthwaite drew my attention to a remark made to him by Captain Clay, the Magistrate of Cannanore, to the effect that the agreements entered into by Normal students, to refund the stipends received by them in case of their not completing their training and serving Government for five years, are not binding upon them unless written upon stamped paper.

2. I referred the matter to the Government Solicitor, to whom I also sent a copy of the form of agreement; and Mr. Boyson informs me that unless the agreements are signed *on behalf of Government* by persons duly authorized so to sign them, stamps are requisite, the value of the stamp in each case depending upon the amount to be recovered from the student. At present the Head Master of the Normal School, to which the student belongs, countersigns the agreement, but no words are used implying that he signs on behalf of Government, neither is he authorized so to attach his signature.

3. In these circumstances I request that Government will be pleased to authorize the Head Masters of Government Normal Schools to sign agreements of the above nature on behalf of Government, so that it may not be necessary to use stamped paper for the agreements. It would also be well for Government to give retrospective effect to their sanction, so as to render valid such agreements as have been signed since the Stamp Act came into force.

5. I beg to submit, for the information of Government, the papers marginally noted,* and I request they may be returned when no longer required.

* Director's letter, No 1,761 of 10th August 1865.
Government Solicitor's letter, No. 459 of 14th August.
Director's letter No. 1,808 of 19th August.
Government Solicitor's letter, No. 487 of 23rd August.

Transferred to the Revenue Department for disposal.

(Signed) W. HUDLESTON.

7th October 1865.

Acting Secretary to Government.

No. 274. ORDER THEREON, 16th October 1865, No. 2,505.

Separate Revenue, No. 16.

Stamps.

1. The Director has misunderstood the Government Solicitor's reply, which is to the effect that as the agreements are not "made or executed by or on behalf of Government," they must be stamped.

2. The case is clearly not one which can be brought under the general exemption, and Mr. Powell has not stated the case in sufficient detail to enable Government to judge whether any special arrangement is necessary or advisable.

3. They in fact are shewn no reason why the parties executing the agreement should not pay the Stamp duty.

(True Extract.)

(Signed) W. HUDLESTON,

Acting Secretary to Government.

To the Educational Department.
„ the Director of Public Instruction.
„ the Board of Revenue.
Exd. S. T. Augustin.

No. 2096.

From

E. B. POWELL, Esq.,
Director of Public Instruction.

To

THE CHIEF SECRETARY TO GOVERNMENT,
Fort Saint George.

SIR,

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5. I beg to submit, for the information of Government, the papers marginally noted,* and I request they may be returned when no longer required.

Office of the Director of
Public Instruction,
MADRAS, 5th October 1865.

I have the honor to be
Sir,

Your most obedient servant.


Director of Public Instruction.

Thompson Aug. 1865