M.R.O. 14—18,000—27-6-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 3467 c

422-423

Press ~~Mis.~~

Dated 21—12— 1866.

Not to be folded or roughly handled

No. 422. Read the following Proceedings of the Board of Revenue, dated 21st November 1866, No. 8,409.

Read the following letter from the Civil Judge of Guntoor, to the Chief Secretary to Government, Fort Saint George, dated 11th October 1866, No. 135 :—

1. The records of the suits pending in the District Munsiff's Court of Masulipatam were, for the most part, damaged by the cyclone on the 1st November 1864.

2. On this subject, I submitted a report to the High Court, who, in their Proceedings,* dated 15th January last, directed me to submit to Government a list of such stamps as are rendered useless, in view to the Collector being instructed to issue new paper of equal value, or to refund the amount as might be most desirable in reference to the wishes of parties. I have, accordingly, obtained a list from the District Munsiff of Masulipatam, and submit the same, herewith, for the consideration of His Excellency the Governor in Council.

* Copy herewith submitted.

3. The list, you will observe, comprises only eight items. Of these, seven refer to plaints, the stamps of which are not forthcoming ; but the amount is traceable from the Register of Suits and Diary. The last item is one referring to a plaint, the stamp of which is on record, but illegible.

4. I have, therefore, the honor to request that you will have the goodness to obtain the orders of His Excellency the Governor to instruct the Collector to issue new paper of equal value, or to refund the amount, as the case may be.

Enclosure No. 1.

Abstract.—Statement of Stamps rendered useless by the cyclone that occurred in the month of November 1864, the value of which is recommended to be refunded.

Enclosure No. 2.

Proceedings of the High Court of Judicature at Madras, 15th January 1866.

Read letter, dated the 27th November last, from the Civil Judge of Guntoor, submitting a question for the decision of the High Court, regarding the records of the District Munsiff's Court at Masulipatam, which were destroyed by the cyclone on the 1st November 1864.

1. It appears to the Judges that, in the peculiar circumstances reported by the Civil Judge, there will be no objection to the Munsiff allowing copies to be filed, of pleadings and documents rendered illegible by the cyclone, provided their purport is established by an entry in the diary. The Munsiff will, therefore, permit this course in cases in which the plaint is extant and legible.

2. As regards records which have become wholly illegible, where the amount of the stamps rendered useless can be satisfactorily ascertained, it appears to the Judges that the proper course will be for the Civil Judge to submit to Government a list of such stamps, with a view to the Collector being instructed to give new paper of equal value, or to refund the amount, as may appear proper.

(True Extract.)

(Signed) P. P. HUTCHINS,
Registrar, Appellate Side.

(True Copy.)

(Signed) W. HODGSON,
Civil Judge.

Proceedings of the Madras Government, Revenue Department,
21st December 1866.

Transferred to the Revenue Department.

(Signed) J. D. SIM,
Secretary to Government.

FORT SAINT GEORGE,
31st October 1866.

Communicated to the Board of Revenue for their report.

(Signed) J. D. SIM,
Secretary to Government.

3rd November 1866.

As there appears to be no room for doubt that stamps of the value stated were actually used and filed, but destroyed by the cyclone, and must now be renewed, the Board see no objection to the Collector of the Kistna District being authorized to make a gratuitous issue of fresh stamps of the same value to the parties concerned.

No. 423. ORDER THEREON, 21st December 1866, No. 3267.

Separate Revenue, No. 13.
Stamps.

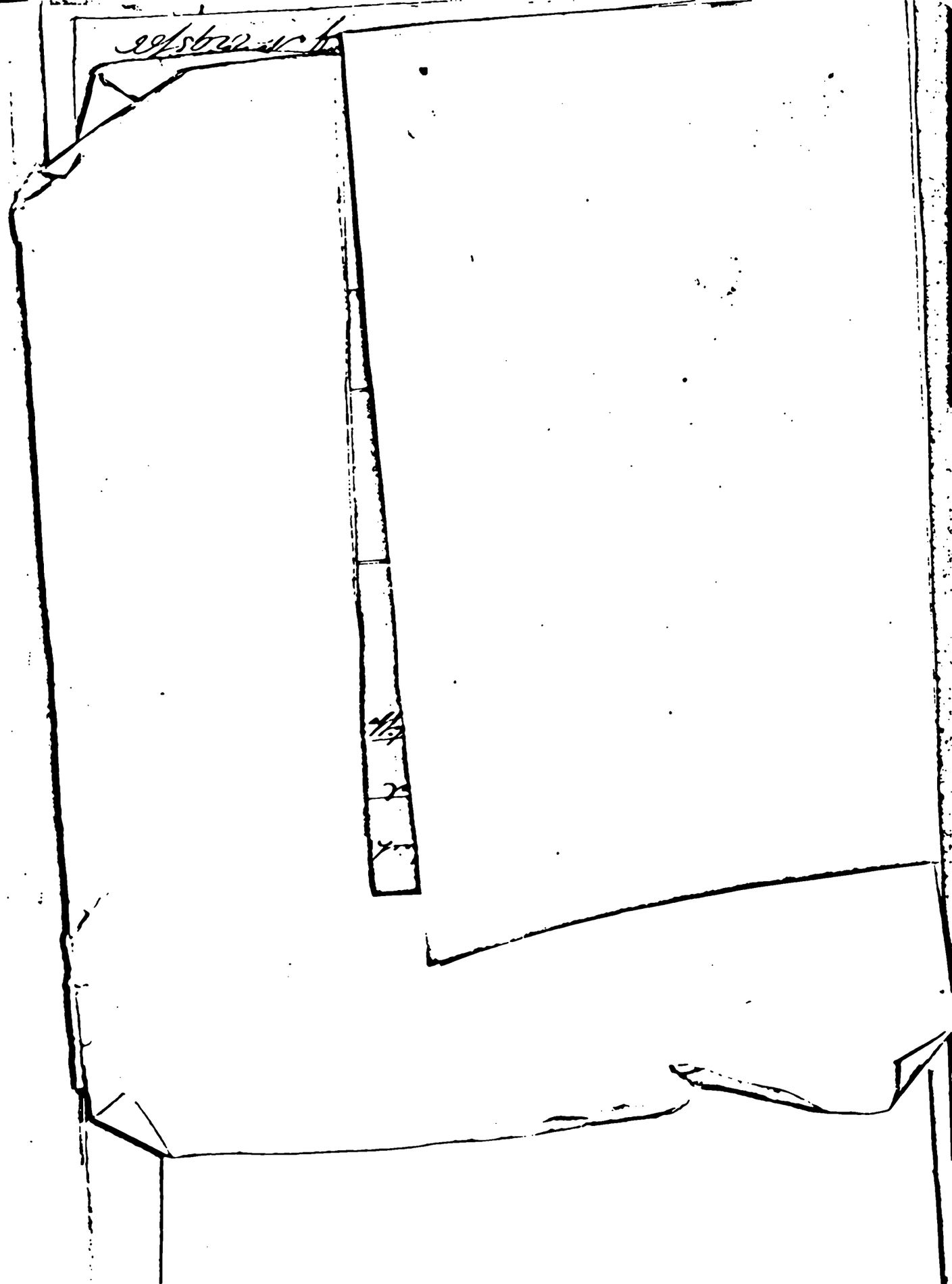
Sanctioned.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.



Statement shewing the number of stamps cancelled for the consideration fee, filed in suits before the Subordinate Munsiff of Mandapetam, and which were washed away or otherwise rendered illegible by the Cyclone that occurred on the 1st of November 1864, & the amount value whereof is recommended to be refunded to the Plaintiffs in the above suits, prepared agreeably to the Proceedings of the High Court dated 15th January 1866.

Year & Number	Name of the party.	Stamp duty paid on the stamp, calculated on the amount or value of the plaint or the adjudication at issue agreeably to the Regulations. Rs.	As.	P.	Remarks.
Application for revision of judgment in Original Suit No 16 of 1861	Plaintiff Kota Subbhiramarow	2	-	-	As the plaint is not to be found, it is impossible to give the date, or in whose name & in what place the stamp was sold.
Do. No 151 of Do.	Plaintiff Pasumarti Jagannarayana Sastrulu	4	-	-	Do.
Original 1869 of Do.	Plaintiff Kakarla Chena Rajhavayya	32	-	-	Do.
2,085 of Do.	Plaintiff Mandra Lukshminarayana	4	-	-	Do.
Do. 252 of 1863	Plaintiff Govindarajula Ramachandrudu	2	-	-	Do.
Do. 386 of Do.	Plaintiff Rajah Ramadasu Venkatanara-simha Jagannadharow Zemindar	32	-	-	Do.
Do. 75 of 1864	Melladi Narsimhadasulu —	32	-	-	Do.
Do. 85 of 1864	Vallooru Veeramma	4	-	-	The Complaint stamp was sold by Chandika Basavamma, stamp Vendor, & Bubbala Lakshmanna, on the 29th August 1864.

5th March 1866.

(Signed) In Persian, by the Subordinate Munsiff

(True Translation)

Munsiff

Civil Judge.

Rev: 3892/66.

Enclosure

In a letter from the Civil Judge of Guntoor to the Chief Secretary to Government Fort St. George dated 11th October 1866.

Pro: 21st Decr/66 No 1422

Statement of Stamps rendered useless by the Cyclone that occurred in the month of November 1864, the value of which is recommended to be refunded.

Rs. 2295/68

P 21st Decr/66

Exd. S. T. Augustin.

Exd. S. T. Augustin.

No. 8,409.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st November 1866.

Read the following letter from W. HODGSON, Esq., Civil Judge of Guntoor, to the Chief Secretary to Government, Fort Saint George, dated 11th October 1866, No. 135 :—

1. The records of the suits pending in the District Munsiff's Court of Masulipatam were, for the most part, damaged by the cyclone on the 1st November 1864.

2. On this subject, I submitted a report to the High Court, who, in their Proceedings,* dated 15th January last, directed me to submit to Government a list of such stamps as are rendered useless, in view to the Collector being instructed to issue new paper of equal value, or to refund the amount as might be most desirable in reference to the wishes of parties. I have, accordingly, obtained a list from the District Munsiff of Masulipatam, and submit the same, herewith, for the consideration of His Excellency the Governor in Council.

* Copy herewith submitted.

3. The list, you will observe, comprises only eight items. Of these, seven refer to plaints, the stamps of which are not forthcoming; but the amount is traceable from the Register of Suits and Diary. The last item is one referring to a plaint, the stamp of which is on record, but illegible.

4. I have, therefore, the honor to request that you will have the goodness to obtain the orders of His Excellency the Governor to instruct the Collector to issue new paper of equal value, or to refund the amount, as the case may be.

ENCLOSURE No. 1.

ABSTRACT.—Statement of Stamps rendered useless by the cyclone that occurred in the month of November 1864, the value of which is recommended to be refunded.

ENCLOSURE No. 2.

Proceedings of the High Court of Judicature at Madras, 15th January 1866.

Read letter, dated the 27th November last, from the Civil Judge of Guntoor, submitting a question for the decision of the High Court, regarding the records of the District Munsiff's Court at Masulipatam, which were destroyed by the cyclone on the 1st November 1864.

1. It appears to the Judges that, in the peculiar circumstances reported by the Civil Judge, there will be no objection to the Munsiff allowing copies to be filed, of pleadings and documents rendered illegible by the cyclone, provided their number is established by an entry in the Diary. The Munsiff will, therefore, permit this course in cases in which the plaint is extant and legible.

2. As regards records which have become wholly illegible, where the amount of the stamps rendered useless can be satisfactorily ascertained, it appears to the Judges that the proper course will be for the Civil Judge to submit to Government a list of such stamps, with a view to the Collector being instructed to give new paper of equal value, or to refund the amount, as may appear proper.

(True Extract.)

(Signed) P. P. HUTCHINS,
Registrar, Appellate side.

(True Copy.)

(Signed) W. HODGSON,
Civil Judge.

Transferred to the Revenue Department.

(Signed) J. D. SIM,
Secretary to Government.

FORT SAINT GEORGE,
31st October 1866.

Communicated to the Board of Revenue, for their report.

(Signed) J. D. SIM.
Secretary to Government.

3rd November 1866.

If the document referred to in urgent Ltr. from the Munsiff of Masulipatam of the 22nd Inst. be not found in the Collectorate Records, a duplicate may be called for from the Munsiff & returned with the Papers which are to be sent in original.

Rev. 1866. Department.
Proceedings of Government, December

No. 1,217.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 21st November 1866.

Rec'd 25-
Rec'd 27-

No. 8,409.

Recommending that Collector of Kistna district be authorized to issue fresh stamps in District Munsiff's Court at Masulipatam rendered useless by Cyclone of 1st November 1864.

Read letter from Collector of Kistna, dated 15th instant, forwarding petition of Pleaders of Masulipatam Court, praying that they may be allowed to renew the stamps which have been rendered useless by the late cyclone.

Resolved that the Collector be informed that there is no objection to the renewal of the stamps in question, but that the Board cannot authorize the issue of fresh stamps of the same value to the parties concerned, as there is no proof that the stamps have been destroyed.

(True Copies and Extract.)

Secretary.

To the Secretary to Government, Revenue Department.

Ext. J. Wright.

There appears to be no room for doubt that stamps of the value stated were actually used and filed, but destroyed by the cyclone, and must now be renewed, the Board see no objection to the Collector of the Kistna District being authorized to make a gratuitous issue of fresh stamps of the same value to the parties concerned.

To Board of Rev. Dept. Rec'd 29th Nov. 1866.

No. 1,221 dated 21st Nov. 1866.