M.R.O. 14-5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1880 Press Mis.

261 263

Dated 13 — 8 — 1867.

Not to be folded or roughly handled

Read the following papers :—

No. 261. Proceedings of the Board of Revenue, dated 23rd May 1867, No. 3,220.

Read the following letter from the Superintendent of Stamps, to the Secretary to the Board of Revenue, dated 22nd March 1867, No. 1,102, of Fusly 1276.

1. I have the honor to solicit the orders of the Board of Revenue on the accompanying Persian document, which has been presented to me for the purpose of having the proper stamp affixed to it, under the provisions of Section 15 of the Stamp Act. An alleged translation of the paper, which has been also presented by the party, is likewise sent.

2. The instrument would perhaps be held to be a conveyance, however insignificant the value of the property conveyed; and the value of the consideration not appearing on the face of the document, 50 Rupees would be held to be the amount of the proper stamp; but the sum sought to be recovered under the document is stated by the party to be 3 Rupees a month, though I myself doubt whether the sale of four days' deposits in the month on any ordinary cart-stand would bring so much.

3. Lawyers would probably object to regarding the document as a settlement, and stamping it with an optional stamp under Article 64. It hardly falls under Article 2, and I beg, under the circumstances, to be favored with the opinion of the Board as to what stamp the Deed should bear. I should myself be inclined to treat it as a simple agreement under Article 1, or as an unclassified document falling under Article 36. I mean to remit the penalty in any case.

Enclosure No. 1.—Persian document.

Enclosure No. 2.—Translation.

1. It appears to the Board that the document brought to their notice in the foregoing letter comes under Article 25, Schedule A., and is liable to a stamp of Rupees·50.

2. The Superintendent of Stamps proposes remitting the penalty in the present case, but it is to be observed that evidence should first be shewn of the existence of "urgent necessity or unavoidable accident," which alone vest him with that power.

3. The Board must point out, that in stating thus much, they are but giving their opinion and advice to their subordinate in a case of difficulty, as Section 19 debars them from adjudicating in cases coming under Section 15.

4. The Superintendent of Stamps should, of course, in the first place satisfy himself of the correctness of the translation of the document by a reference to the Translator to Government.

No. 262. Proceedings of the Board of Revenue, dated 6th August 1867.

Read the following letter from the Superintendent of Stamps, to the Secretary to the Board of Revenue, dated Madras, 30th July 1867, No. 222, of Fusly 1277.

Referring to paragraph 4 of the Proceedings of the Board of Revenue, dated 23rd May last, No. 3,220, I have the honor to state that the Persian document

therein mentioned was sent to the Persian Translator on the 31st May last, for the necessary translation. Not being favored with a reply, I wrote to him twice on the dates noted in the margin,* and the answer I have since received, I forward for the information of the Board. The owner of the document is repeatedly calling at this Office for a settlement of his case, but without an authenticated translation I am unable to pass the necessary orders.

* 5th and 25th July 1867.

From the Persian and Hindustani Translator to Government, to the Superintendent of Stamps, dated Madras, 26th July 1867. No. 23.

I have the honor to return the Persian document enclosed in your letter, No. 1,369, dated 31st May last. I regret I am unable to furnish you with the translation of it which you require, the amount of work in the Office rendering it impossible for me to do so.

Submitted for the orders of Government, as the Board are not competent to issue instructions to the Government Translator.

No. 263. ORDER THEREON, 13th August 1867, No. 1,880.

Separate Revenue, No. 16.
Stamps.

1. The Government consider that the Persian Translator may well afford the Superintendent of Stamps such assistance by certifying to the correctness of abstract translations appended to Persian documents presented for stamping, or translating the document in cases of doubt, as may be necessary to enable the Stamp Superintendent to arrive at a reasonable conclusion as to the value of stamp required. The number of such cases is likely to be very few, and the Government desire that the Persian Translator will act as above approved.

2. They are of opinion that in such cases as that referred for orders, the Superintendent of Stamps should require the presenters of the document to endorse or cause to be endorsed the purport of it *in English* on the document itself, certifying, under their signature, that such endorsement conveys accurately the intention and force of the document.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Persian Translator to Government.

Exd. S. T. Augustin.

Document N° 1 Original Instrument in English
with Documentary Attest. evidencing
the same signatures that
the Ch. Ch. Envoy accredited to
the Netherlands presents the document

L.S.

13th August 67.

4 Copies Letters Pat. of Revd Decpd 14
1 Copy ... to the Persian Translator
Gratis