M.R.O. 14–5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 762 Press ~~Mis.~~

19-21

Dated 2—4—1867.

Not to be folded or roughly handled

V0762.

Proceedings of the Madras Government, Revenue Department, 2nd April 1867.

Read the following papers :—

No. 19. Proceedings of the Board of Revenue, dated 18th March 1867, No. 1,674.

Read the following letter from the Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 27th February 1867, No. 60.

1. I beg to annex, for the consideration and orders of the Board, a copy of a letter to my address from the Special Assistant Collector at Ootacamund.

2. The course indicated by Mr. Money, if adopted, will simplify and facilitate matters in connection with the disposal of deeds for the conveyance of land purchased under the Waste Land Rules, which need not, it would appear, be dated until handed over to the purchaser, who would thus have ample time to register them.

From the Special Assistant Collector of Ootacamund, to the Collector of Coimbatore, dated 16th February 1867, No. 16.

It has been brought to my notice by Mr. Money, who, you are aware, is a Barrister of long experience, that the date proper for entry in Title Deeds which are not signed on the same date by grantee and grantor, is the date of delivery. As such a procedure would, besides being legally correct, put an end to all probability of inconvenience to grantees in the matter of registration of the deeds, I have the honor to request that you will accord it your sanction.

Submitted for the consideration and orders of Government. The Board doubt whether more is needed than that the Deeds should be dated when the seal of Government is affixed, as recommended in their Proceedings, dated 14th February 1867, No. 903, but there is no objection to the course proposed if legal.

Referred for the opinion of the Advocate General.

22nd March 1867. (Signed) W. HUDLESTON,
Secretary to Government.

No. 20. From the Acting Government Solicitor, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 27th March 1867, No. 175.

1. I have the honor to acknowledge the Order of Government noted in the margin, requesting the Advocate General's opinion upon the suggestion for Deeds for the conveyance of land purchased under the Waste Land Rules being dated on the date of the delivery thereof to grantees for the convenience of registration.

Dated 22nd March 1867, and made on Proceedings of the Board of Revenue dated 18th March 1867, No. 1,674.

2. I have submitted the matter for the consideration of the Acting Advocate General; and

3. I now forward a copy of his opinion, and return the Order above noted.

Proceedings of the Madras Government, Revenue Department, 2nd April 1867.

OPINION.

The Indian Registration Act 1866 provides that "where there are several persons executing a document at different times, the instrument may be presented for registration and re-registration within four months from the date of each execution" (Section 22). It seems to me, therefore, that the proper course is for the true date of each execution to be entered in the attestation clause. The grantee will then have four months to register from the date of the last execution. To date the document from any later period, even if otherwise unobjectionable, would violate the purposes of the Act.

(Signed) J. D. MAYNE,
Acting Advocate General.

26th March 1867.

(True copy)

(Signed) H. J. BROCKMAN,
Acting Government Solicitor.

No. 21. ORDER THEREON, 2nd April 1867, No. 762.

Miscellaneous.

1. Ordered that the opinion of the Acting Advocate General be communicated to the Board for the information and guidance of all Collectors.

2. The *date* of affixing the Government seal to Title Deeds will in future be noted thereon, and the Government understand the Acting Advocate General to declare that registration can be made at any time within four months from that date.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
„ the Government Solicitor.

Exd. S. T. Augustin.

Revenue Department.

No. 762.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 2d April 1867.

Read the following papers

Board of Revenue
forwarding circular Remarks
and orders Collr from
Cuddr forwarding one
to Asst Collector
date to be put for
deeds which are
same date by grantee
date of delivery

Here Enter 12th March/67
No 674

Govt Solicitor
forwarding Attorney
Genl's opinion, relative
to for Deeds for the
land purchased under
rules, being dated on
the delivery thereof &
for convenience of

Here Enter 27th March/67
No 175

Ordered that the
opinion of the Advocate
General be communicated
&c.

To the Board
for the information
and guidance of all
Collectors.

The date of
affixing the Government
Seal to Title deeds will
in future be noted thereon
and the Government
understand the Advocate
General to declare that
Registration can be
made at any time
within 4 months from
that date.

List.

4 Copies of Letter 22 Feb 1845 & 3.
Govt Solicitor.

21
11

Revenue 1867 Dispatch
Pro of Govt for April

No 762

Pro of the Madras Govt
dy 2d April 67

From the Acting Govt Secretary
dy 25 April 67 No 1081
Pro Board of Revenue dy
17 May 67 No 1302
Opinion of
the Advocate General
on the subject of Dating
Title Deeds communi-
cated to Board of
Revenue for the in-
formation & guidance
of Collectors-

No 19 @ 21.