

Home (1919) Department.

Education

Ordinary SERIES.

G.O. No. 742

DATED

14-6-19

INDEXED

[Despatch Abstract.]

Land

Informing the Collector of Malabar that the ---
acquired for the Basel Mission College, Calicut, will have
to be conveyed to the Madras Board of Trustees for holding
enemy Mission property.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

CNo. 958 B/20

Ref. 4283-C-3/19.

Malabar Collector's Office,

Calicut, 3rd April 1919.

From

J. P. Hall Esq., I.C.S.,

AG. Collector of Malabar.

To

The Secretary to the Government of Madras,

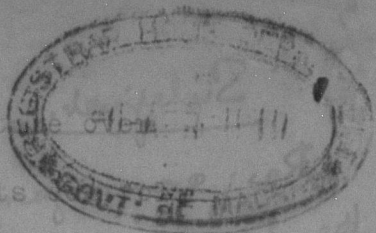
Home (Education) Department.

Sir,

In G.O. No. 919, Educational, dated 6-10-13, the Government were pleased to sanction the acquisition of 2.08 acres of land in S. Nos. 50/5 and 153 of Kalathinkunnu amsam and desam, Calicut Taluk for the extension of the Basel Mission College, Calicut, after the agreement as required by section 41 of the Land Acquisition Act had been executed. The acquisition proceedings in respect of the site were completed in 1914. The amount of compensation to be awarded to the persons interested was also settled by the Civil Court and paid in 1917. There remains the question of the execution of a deed of conveyance in respect of the land acquired with reference to clause 2 of the agreement executed before acquisition as was done in the case of land acquired in 1904 for this institution (Vide G.O. Nos. 304, Educational, dated 17-5-04 and 589, Educational, dated 21-9-04).

2. The question as to whether the present Educational Council is legally competent to transact business was submitted to Government for orders. The Hon'ble the Advocate General has expressed his opinion that the Council is legally competent to carry on business and to hold the property of the Mission (Vide G.O. No. 116, Home (Education) Department, dated 1-2-18).

3. The Government have since approved of the proposal



of the Council of the Madras Christian College to

the management of the Basel Mission College under its

without prejudice to any arrangements that may be made hereafter

for the permanent transfer or the ownership of the properties

of the Basel Mission. Vide G.O. No. 294, Home (Education)

Department, dated 8th March 1919.

4. I have the honour to solicit orders as to whether

under the present circumstances the Government would propose to

issue a title deed as contemplated in the agreement, in favour

of the Basel Mission Educational Council. It was the Government

Solicitor who prepared the conveyance deed in respect of the

land acquired in 1904 and I would suggest that the same course

may be followed in the present case if the Government decide to

issue a title deed.

I have the honour to be,

Your most obedient servant,

[Signature]

For Ag. Collector.

[Signature]

[Signature]

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Subject.

Re: conveyance
of the land acq.
for the Basel Mission
College, Palayam.

Le. 737/B, from the Govt. of Madras,

Ref. No. 4283-C-3/19, d/3.4.19.

The question of making over the

land acquired under G.O. No. 919 Ed.

6th Oct. 1913 to the Basel Mission Educat.

al Council was brought before Govt.

by the Govt. of Madras (Mr. Evans).

The

view first taken was that the Education

Council was not legally competent to

take possession of the land and that

therefore the question of issuing a

conveyance deed might stand over

till after the close of the war. A

subsequent refer. to the Advocate

General elicited the opinion that

the Council was legally competent

to carry on business and to hold the

property of the mission. Since then

orders have been issued in G.O. No. 1067 P.

d/29th Nov. 1918 authorizing the

provisional transfer of the Basel Mission

religious and educational

activities in this Presidency to the National

Missionary Council and in pursuance

of this arrangement the ^{management of the} Basel Mission

College, Palayam, has been taken over

by the Council of the Madras Education

College - G.O. No. 294 Ed., d/8th March

Page 5 & 6, copy sent at

pp 21 & 22 of G.O. at

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

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pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

pp 2 & 3 ibid.

1919. But the whole arrangement is only provisional pending arrangements for the permanent transfer of the ownership of the Basel Mission ^{properties} which are now pending with the Govt. of India & the Secy. of State. It therefore seems that the question of drawing up a conveyance deed may be postponed till receipt of final orders of the Govt. of India as to the future of the Basel Mission in this country. Revenue (Special - War) may perhaps have some information as to when those orders may be expected.

8.4.19
L
W

11.4.19

Perhaps the deed may be executed in favour of the Council of the Church which holds on behalf of the management for the time being of the mission known as Basel m. Ch. Govt. Secy. to Govt.

127419

Rev. Secy.

G. of India
Telegram - paper VII
at p. 5 of No. 1067 Puli
(A) 29.11.19

CURRENT NO.

1234

PUBLIC (K. M. S.)

17.4.19

Home (S. J. M.)

No. 737 B-1

12.4.19

16.4.19

The case may be referred to the Home (Ed) Dept with the remark that the final orders of the Govt of India regarding the future of the Basel missions in this country have not yet been received and it is not possible to say when they are likely to be expected.

See
rev. 4.9 The case is being hurried along by the Govt of India it seems probable that orders will be issued transferring the whole of the property of enemy missions to a trust in the course of the next few months, if not weeks. Obviously orders should issue before the peace is signed.

in 4.9

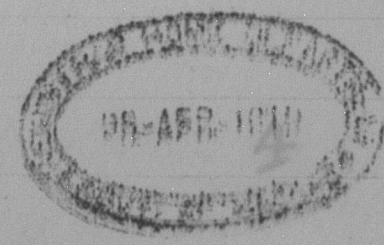
Home (Ed) v.o.

Home (Ed)

For orders whether the question may lie over till the future of enemy mission property in India is settled or whether the Govt. Solicitor should be consulted as to whether ^{valid} conveyance can be made to the Madras Christian College Council (cf: See's note - p. 2 ante)

28.4.19.

Rev Spt: G.O. 1234 N-1
26.4.19



If the orders are to issue shortly, may we not wait ~~till then~~ for them?

CA
25.4.19
5

If the orders are to issue before the signing of the peace, we may wait.

Put up again on the 31 May

W 30/4/19

Let our file
31.5.19

Submitted that Revenue (Special W)

(M)

has just received the orders of the Govt of India referred to on the previous page.

That ^{Dept} ~~now~~ now has requested w/o to state to whom the land in question should be conveyed.

CA
30.5.19

CA
4.6.19
5

W 6/6/19

Edn 40737B-2
6.6.19

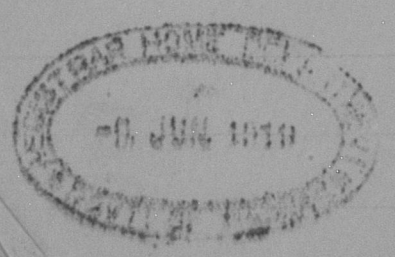
In
26.6

Rev Spcl/1001

Rev. Spcl.

The Band himm property has been vested in the Custodian of Enemy Property, who will in the course of the next month or so transfer it to Trustees who are Messrs, Messrs, Leith, Davidson, Ogden & Pat. The simplest course seems to be to transfer the land in question direct to the trustees, unless the Home Dept prefer to keep it in the custodian for the time being.

Home Secy. 7.6.19



Home (Ed. 2)

A draft order following the suggestion of the Rev. (Special) Dept. is submitted. After issue that Dept. may be requested to communicate in due course to the Collr. of Malabar a copy of their order when the arrangements for the transfer of properties to the Board of trustees are complete.

* Issued as Secy.

No. 742 Ed.

14.6.19

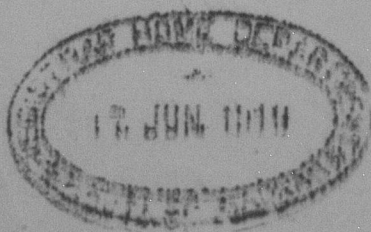
Pls. issue
net. case to
me.

Redn
NO NO 737 B-3

16.6.19

No. 1322. F

17.6.19



Rev. Spl. H. O. 1234 A-2
17.6.19

Redn
NO. 1215 B
18.6.19

9.6.19

11.6.19

13.6.19

14.6.19

Rev. Spl. H. O.

Rev. Spl.

I am not sure that I do not think there will be any such order since the Custodian has already been authorised to make the transfer when arrangements are ready. Hence para 1 of the order which the Home Dept. have issued is not strictly correct (it does not follow my note on the previous page & was not accepted by us). However no damage has been done & I have little doubt that the Collector will be informed in due course by the Trustees themselves when they take over the property.

FD Home. Spl. H. O.

17.6.19

Home (Ed. 2)

It is respectfully submitted that it was thought that there would be an order...

NOTES.

Page 5

in Reserve (Special) when the arrangements for the transfer of properties to the Board of Trustees become complete in due course. If, as stated on the previous page it is not sure that there will be any such order, it is for consideration whether a revised copy of the L-20 with the alterations indicated in the original L-20 may now go

17.6.49

As the Rev (Sgt) Depant do not themselves see any serious objection to the order that has issued, we need not issue a revised order.

CA
18/7/49
5.

The Draft does not say the orders of transfer will be issued by Govt.

They may be issued by the Custodian ~~himself~~. So no alteration is necessary.

W. J. H.

Publ. II.10 (a) — 13-1-19 (6)

Home DEPARTMENT.

(5.3)

READ AGAIN G.O. No. 919 Edh; dated 6. 6. 1913. (S)

191

READ ALSO:—

C. No. 737, From the Collector of Malabar, Dated 2-3-34 1319

191

191

ORDER.

Met.

No. 742, dated 14.6. 1919

The Collector of Malabar is informed that under the Notice of the Govt: of India in the Dept. of Commerce and Industries No. 3351, dt/ 22nd May 1919, published at pages 698 to 710 of Part I of the Fort St. George Gazette, dt/ 30th June 1919, the property, moveable and ⁱⁿmoveable, of the Basel mission in this Presidency has been vested in the Custodian of Enemy Property and that orders will issue shortly trans-
ferring the property from the

Custodian to a Board of
Trustees consisting of the following
gentlemen:-

- (1) The Rev. William Mackon, M.A.,
B.D., Prof., Madras Christian
College (Chairman)
- (2) M. R. Ry. Muthiah David, Esq.,
B.A., B.L., Barrister at Law,
Sylamam Temple, The City, Madras.
- (3) The Rev. Dunstan Gordon Macnaughton
Leith, Esq., General Mission
Committee of National Missionary
Council, Madras.
- (4) Charles Edwin Edgerts Esq.,
M.A., B.C.L., Barrister at Law,
Administrative General, Madras.
- (5) Henry Reginald Pale Esq.,
J. Esq., Esq., Board of Revenue
(L. Esq.), Madras.

2 The conveyance
of the property referred to
in the Collector's letter read
above should be made to the
aforesaid Board of Trustees
by means of a deed to be
drawn up in consultation with
the Joint Solicitor as soon as
the Board assumes office.

24/11
J. R. Ravi
16/11/19

To the Coll. of Malabar
(Sd/-)
copy to the S. P. D.
Rev. (Sd/-) Dept. S. D.

24/11 *11/11/19* *Ch. R. R. W. M. R.*

When given for copying
When copied
When examined
When signed

191

SEAL AGAIN G.O. No.
191

DATED

CURRENT No.

ENCLOSURE TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH LITTO.

PAPERS NOT FILED UP, BEING MEANT FOR ORMPATCH
IN ORIGINAL.

N.B.-

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.