

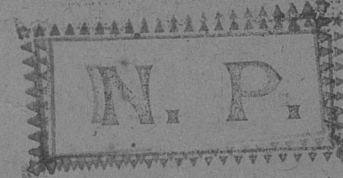
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Educational (1902) Department.

ORDINARY PRINTED.

G.O., No. 365

DATED 20. 6. 02



ORIGINAL

[Despatch Abstract.]

Tamkani Bungalows

Stating that orders will issue in the P. W. D. for a thorough inspection of the — at Madura & for drawing up a report showing the present value of the property, & the amount reqd for the repair of the building & for the provision of such addl accommodation as may be necessary to render it a suitable residence for the Collector.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government {1902} of Madras. EDUCATIONAL.

Recd.

Regd.

} 1902.

Enclosures

Spare copies

ORIGINAL

G.O., No. 365, 20th June 1902.

N. P.

JUNE.

Tamkam Bungalow.

Stating that orders will issue in the Public Works Department for a thorough inspection of the — at Madura and for drawing up a report showing the present value of the property, and the amount required for the repair of the building and for the provision of such additional accommodation as may be necessary to render it a suitable residence for the Collector.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—again the following papers:—

THIS INDENTURE is made the sixth day of May One thousand Eight hundred and Seventy-two BETWEEN PATRICK FRANCIS CAMPBELL-JOHNSTON of Carnsalloch, in the county of Dumfries in Scotland, Esquire of the first part, the University of Madras of the second part and THE RIGHT HONOURABLE THE SECRETARY OF STATE FOR INDIA IN COUNCIL hereinafter described for the sake of brevity as "the said Secretary of State" of the third part. WHEREAS the late Right Honourable Sir Alexander Johnston who died in the year one thousand eight hundred and forty-nine during his life-time claimed to be entitled to certain lands and buildings situated near the town of Madura in the district of Madura in the Presidency of Madras in the East Indies and commonly called or known as the "Tunkum" and which said premises are particularly described in the Schedule hereunder written. AND WHEREAS the said premises were for many years previously to and at the date of the death of the said late Sir Alexander Johnston in the sole possession and enjoyment of the late Honourable East India Company who disputed the claims of the said Sir Alexander Johnston thereto. AND WHEREAS the said premises have since the date of the extinction of the said late East India Company been in the uninterrupted possession and enjoyment of the said Secretary of State. AND WHEREAS the said late Sir Alexander Johnston was during his life-time desirous that the said premises should be made over to him for the purpose of being converted into a Public institution for the education and instruction of the Natives of the District of Madura and with such intent applied to the said late East India Company to give effect to his wishes AND WHEREAS the said late East India Company although disputing the right of the said Sir Alexander Johnston to the said premises agreed to comply with his said request but no steps were ever taken during his life-time for carrying the said desire into effect. AND WHEREAS the said Patrick Francis Campbell-Johnston is a son and also the sole acting Executor of the Will of the said late Sir Alexander Johnston and being desirous of carrying into effect the wishes of his said late Father hath requested the Government of Fort Saint George acting for and on behalf of the said Secretary of State to give effect to the arrangement agreed to be entered into between the said late Sir Alexander Johnston and the said late East India Company subject however to such modifications as the altered circumstances of the case might require. AND WHEREAS the said Government of Fort Saint George acting on behalf of the said Secretary of State have proposed that the said premises should be effectually vested in the said Secretary of State and should be held by him and his successors upon the trusts and for the ends intends and purposes hereinafter declared and further that the net income arising from the said premises should be applied for the founding and due and proper maintenance and support of two or more Scholarships to be called "The Johnston of Carnsalloch Scholarships" to be held by Natives of the said district of Madura of any class caste or religion being Matriculated Students of the said University of Madras and to be elected according to such scheme and under such rules as shall hereafter be framed by the Vice-Chancellor and Fellows for the time being of the said University of Madras. AND WHEREAS the said Patrick Francis Campbell-Johnston hath agreed to the hereinbefore recited proposals of the said Government of Fort Saint George and for the purpose of giving effect thereto hath agreed to execute such conveyance and assignment of the said premises as are hereinafter contained. Now THIS INDENTURE WITNESSETH that in pursuance of the hereinbefore recited agreement and for effectuating the said intention and also in consideration of all and singular the premises he the said Patrick Francis Campbell-Johnston as such son and Acting Executor of the will of the said late Sir Alexander Johnston as aforesaid and according to his Estate and interest therein doth hereby convey release assign and confirm according to the nature and tenure thereof respectively unto the said Secretary of State and his successors all and singular the lands buildings and premises respectively particularly described in the said Schedule hereunder written TOGETHER with all ways waters water-courses rights privileges easements advantages and appurtenances whatsoever to the said premises or any part thereof appertaining or with the same or any part thereof held used or enjoyed or reputed as part thereof or appurtenant thereto and all the estate right title interest claim and demand of him the said Patrick Francis Campbell-Johnston as such son and Acting Executor of the will of the late Sir Alexander Johnston as aforesaid into and upon the said premises to HOLD the said premises unto and to the use of the said Secretary of State his successors and assigns but nevertheless upon the trusts and for the ends intends and purposes and with under and subject to the powers provisoes agreements and declarations hereinafter declared and contained of and concerning the same AND the said Patrick Francis Campbell-Johnston doth hereby for himself his heirs executors and administrators covenant with the said Secretary of State his successors and assigns that he the said Patrick Francis Campbell-Johnston hath not

done or knowingly suffered or been party or privy to any thing whereby the said premises or any part thereof are is or can be impeached incumbered or effected in title or otherwise AND THIS INDENTURE ALSO WITNESSETH that in further performance of the said agreement and for effectuating the said desire of the said Patrick Francis Campbell-Johnston it is hereby agreed and declared that the said Secretary of State and his successors shall from time to time and at all times hereafter receive and take the rents issues and profits arising from the said premises and after payment thereof of all costs charges and expenses as hereinafter provided will pay and apply the clear residue of such rents issues and profits for the founding and due and proper maintenance and support of two or more Scholarships to be called "The Johnston of Carnsalloch Scholarships" to be held by Natives of the said district of Madura of any class caste or religion being Matriculated Students of the said University of Madras and to be elected according to such scheme and under such rules as shall be hereafter framed by the Vice-Chancellor and Fellows for the time being of the said University of Madras or according to such further amended or other scheme and under such further amended or other rules as shall for the time being be in force in respect of the said proposed Scholarships PROVIDED ALWAYS and it is hereby agreed and declared that it shall be lawful for the Vice-Chancellor and Fellows for the time being of the said University of Madras at any time or times hereafter to change alter or amend the scheme and rules with respect to the said proposed Johnston of Carnsalloch Scholarships so to be framed by them as aforesaid in such manner as they may think fit AND IT IS HEREBY AGREED AND DECLARED that the said Secretary of State and his successors shall at all times hereafter by such ways or means as he or they shall in his or their absolute discretion think fit order or direct the management and improvement of the said premises and shall keep up and maintain the same in good order and repair when not tenanted and in order thereto that it shall be lawful for the said Secretary of State and his successors to purchase such materials and other articles and things as shall be requisite or necessary for the due and proper repair and keeping in tenantable condition of the said premises and to pay such sum or sums of money for the salary or salaries or wages of such person or persons as he or they shall think proper to employ as hereinafter mentioned AND ALSO that it shall be lawful for the said Secretary of State and his successors to fell or cut down any timber or wood that now is or hereafter shall or may be growing upon the said premises or any part thereof and to employ the same in or for the benefit of the said premises or any part thereof or to sell the same and the money arising from the sale thereof shall be considered as part of the rents and profits of the said premises and shall be applied accordingly and for the several purposes aforesaid or any of them to employ from time to time such agents workmen and servants upon such terms and in such manner as he or they shall think proper AND GENERALLY to do or cause to be done all such acts and things respecting the management and improvement of the said premises as he or they might or could do if he or they have the absolute ownership thereof AND ALSO that it shall be lawful for the said Secretary of State and his successors at his or their discretion from time to time to demise or let the said premises or any part or parts thereof either from month to month or else for any term or terms of years not exceeding twenty-one years in possession or commencing within six calendar months after the date of the lease at such monthly rent or rents and upon such terms stipulations and agreements in all other respects as the said Secretary of State and his successors shall in his or their discretion think fit AND it is hereby agreed and declared that the said Secretary of State and his successors shall at all times hereafter apply the rents and profits of the said premises in such manner as he or they shall think proper in or towards the expenses of management maintenance repairs and improvements in or to the said premises and subject thereto shall hold and apply the residue of the said rents issues and profits in manner hereinbefore declared. IN WITNESS whereof the said Patrick Francis Campbell-Johnston hath hereunto set his hand and seal the Senate of the said University of Madras have caused the common seal of the said University of Madras to be hereunto affixed and the Honourable the Governor of Fort Saint George in Council acting for and on behalf of the said Secretary of State hath hereunto caused the official seal of the Government of Fort Saint George to be affixed the day and year first above written.

SCHEDULE to which the above written INDENTURE refers.

Firstly. All that piece or parcel of land together with the messuage or tenement and dwelling house out-offices stables godowns and other buildings erected and built and now standing and being thereon and commonly called or known as the "Tunkum" situated in the villages of Tallacolum and Chanagery in the taluk and district of Madura and in the sub-registration and registration district of Madura bounded on the north side thereof partly by a cross road leading from the river Vaigay to the Trichinopoly road and partly by Alaga Pillai's punjah land Nos. 173 and 174, on the east side thereof by the punjah land No. 1 held by Solamalai Muttem, M. Curpenen and Aiganen, on the south side thereof partly by Vellai Melai Andi's punjah land No. 1, and partly by the said cross road and on the west side thereof by the said cross road, and containing together in the whole by admeasurement Thirteen Acres and Twenty-six thousand, Eight hundred and thirty-six square feet be the same little more or less and all which said piece or parcel of land buildings and premises were formerly in the occupation of H. F. Clogstoun, Esq., but are now in the occupation of Lieutenant R. Smith, Executive Engineer.

Secondly. All that piece or parcel of land together with the several buildings and other erections erected and built and now standing and being thereon situated in the said Villages of Tellacolum and Chanagery in the said taluk and district of Madura and in the said sub-registration and registration district of Madura bounded on the north-east and west sides thereof respectively by Government waste land No. 172 and on the south side thereof by the Tunkum road and containing together in the whole by admeasurement Thirteen thousand, Six hundred and Sixty-eight square feet be the same little more or less and all which said last mentioned piece or parcel of land and buildings are now and have for several years past been occupied and enjoyed as forming part of the said piece or parcel of land, buildings and premises firstly hereinbefore particularly described and were formerly in the occupation of the said H. F. Clogstoun but are now in the occupation of the said Lieutenant R. Smith.*

Signed Sealed and Delivered by Henry George Prichard as the duly constituted Attorney of the above-named Patrick Francis Campbell-Johnston in the presence of

Patrick Francis Campbell-Johnston by his Attorney H. G. Prichard.

J. BURTON,

Clerk to Messrs. Prichard and Barclay, Attornies, Madras.

CHAS. PIELLOW,

Clerk to Messrs. Prichard and Barclay, Attornies, Madras.

The Common Seal of the abovenamed the University of Madras was hereunto affixed in the presence of

(Signed) A. A. GORDON, M.A.,
Registrar, University, Madras.

The Official Seal of the Government of Fort Saint George was hereunto affixed in the presence of

(Signed) W. HUDLESTON,
Officiating Chief Secretary
Government of Madras.

Presented between 4 and 5 P.M. on the 6th May 1872 in the office of the Registrar Madras by Henry G. Prichard. Execution admitted by Patrick Francis Campbell-Johnston of Carnsalloch in the county of Dumfries in Scotland Esquire by his Attorney Henry George Prichard.

6th May 1872.

(Signed) A. A. GORDON, M.A.,
Registrar, University Madras.

Known personally to the Registrar.

(Signed) J. G. FERRAND,
Registrar.

Registered as No. 1041 of Book 1, Vol. 58, pages 421 to 427.

7th May 1872.

(Signed) D. S. WHITE,
Ag. Registrar, for Registrar.

G.O., No. 489, Educational, dated 3rd September 1901.

Read—the following papers:—

From A. J. GRIEVE, Esq., Registrar of the University of Madras, to the Secretary to Government, Educational Department, dated Senate House, 18th February 1901, No. 516.

I am directed by the Vice-Chancellor and Syndicate to address Government on the subject of the property known as the Tamkam bungalow, Madura.

* Rupees Eight Hundred were, on the 4th September 1879, and Rupees Four Hundred on the 9th April 1880, invested in four per cent. Government Securities.

2. In this connection, I have the honour to enclose a statement of the accounts of the Johnston of Carnsalloch Scholarship Fund from its inception to the close of the year 1900, from which it will be observed—

(a) that the total income of the fund derivable from rent and interest has been Rs. 18,426-10-4;

(b) that the expenditure on scholarships and repairs [see further (f) below] has been Rs. 14,547;

(c) that at the close of the year 1892 there was an accumulation of savings amounting to Rs. 6,303-9-3;

(d) that by the end of the year 1900 this accumulation had dwindled to Rs. 3,720;

(e) that since the year 1896, in accordance with G.O., No. 412, Educational, dated the 20th July 1897, no income in the form of rent has been received;

(f) that since the year 1894 no statement of the large sums spent on repairs and structural alterations of the Tamkam bungalow is available, as the University has no control over such expenditure and the accounts thereof are not submitted to it.

3. I have the honour also to enclose a copy of a letter, dated the 12th December 1900, from the Collector of Madura, from which it appears that the bungalow will at no distant date be vacated by its present tenant, and that even if it can be relet, it will be at a greatly reduced rent.

4. In view of the above circumstances which point to the fact that the fund is within measurable distance of insolvency, the Vice-Chancellor and Syndicate have directed me to suggest to Government the desirability of reconsidering the terms of the agreement between Government and the University (which will be found in the Calendar of the University for the year 1880-81), legal opinion being obtained as to the possibility of modifying the same in one of the following ways:—

(1) that the Tamkam property be sold and the proceeds credited to the University for the purpose of maintaining as many scholarships as possible; or

(2) that Government should take over the property and guarantee to the University an annual income sufficient to maintain the two existing scholarships.

ENCLOSURES.

STATEMENT of Receipts and Expenditure on account of the Johnston of Carnarvon Scholarship Fund from 1st October 1878 to 31st December 1892 and from 1st January 1893 to 31st December 1900.

Year.	Receipts.			Expenditure.						Balance.	
	Rent.	Interest.	Sale proceeds of pre-notes.	Total.	Scholarships.	Government securities.	Cheque books.	Renewal fees.	Interest paid for back period on Government securities purchased, etc.		Repairs.
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
1878	321 0 0	..	..	321 0 0	..	766 12 2	..	..	..	..	766 12 2
1879	780 0 0	15 15 4	..	795 15 4	..	385 15 8	..	..	..	..	385 15 8
1880	882 8 0	67 13 3	..	950 1 3	220 0 0	1,084 5 0	..	..	..	..	1,304 5 0
1881	1,012 9 9	107 11 8	..	1,120 1 7	420 0 0	1,032 2 3	1 9 0	..	..	..	1,453 11 3
1882	856 8 0	127 0 0	..	983 8 0	425 0 0	1,011 2 1	3 2 0	..	..	..	1,401 2 1
1883	803 15 4	147 0 0	..	950 15 4	390 0 0	982 7 2	..	..	..	..	1,401 2 1
1884	885 5 10	167 0 0	..	1,052 5 10	505 0 0	982 7 2	..	..	..	..	1,499 10 1
1885	885 5 10	187 0 0	..	1,072 5 10	505 0 0	..	..	2 0 0	10 2 11	..	1,499 10 1
1887	402 15 3	207 0 0	..	609 15 3	430 0 0	..	1 9 0	1 0 0	..	810 0 0	1,234 2 0
1888	951 5 10	207 0 0	..	1,158 5 10	420 0 0	..	3 2 0	..	..	..	1,234 2 0
1889	781 13 10	207 0 0	..	988 13 10	470 0 0	..	1 9 0	..	..	398 0 0	878 0 0
1890	1,008 0 0	207 0 0	..	1,215 0 0	480 0 0	1,040 12 11	3 2 0	..	..	..	1,523 14 11
1891	628 0 0	227 0 0	..	855 0 0	480 0 0	..	..	..	..	..	482 8 0
1892	835 6 9	247 8 0	..	1,082 14 9	480 0 0	..	..	2 8 0	..	..	482 8 0
Total	11,930 4 3	2,161 14 7	..	14,092 2 10	5,080 0 0	6,303 9 3	14 1 0	5 8 0	10 2 11	1,208 0 0	12,621 5 2
1893	796 6 8	190 0 0	2,936 2 0	3,922 8 8	430 0 0	522 15 1	..	..	..	4,279 0 0	4,709 0 0
1894	814 13 10	146 4 0	1,526 5 1	2,521 9 7	420 0 0	219 7 11	3 2 0	..	2 8 0	300 0 0	1,248 9 1
1895	860 4 6	135 0 0	2,008 13 6	2,843 8 0	470 0 0	2,017 14 3	3 2 0	1 0 0	..	..	693 9 11
1896	734 4 6	100 6 0	..	835 1 0	480 0 0	2,034 6 4	1 9 0	..	..	..	2,499 7 3
1897	..	82 12 0	..	82 12 0	480 0 0	..	1 9 0	..	0 11 4	..	2,515 15 4
1898	..	195 0 0	422 14 6	617 14 6	480 0 0	..	..	..	..	..	480 11 4
1899	..	145 8 0	189 0 7	334 8 7	440 0 0	669 10 1	..	1 0 0	..	..	441 0 0
1900	..	133 12 0	954 2 0	1,087 14 0	480 0 0	..	..	..	..	..	1,149 10 1
Total	3,205 13 6	1,128 10 0	8,047 14 11	12,382 6 5	3,680 0 0	5,464 5 8	9 6 0	2 0 0	3 3 4	4,579 0 0	13,737 15 0
Grand Total	15,136 1 9	3,290 8 7	8,047 14 11	26,474 9 3	8,760 0 0	11,767 14 11	23 7 0	7 8 0	13 6 3	5,787 0 0	26,359 4 2
				Repairs							
				14,547 0 0							
				18,426 10 4							
											115 5 1

From J. A. CUMMING, Esq., I.C.S., Collector of Madura, to the Registrar of the Madras University, dated 12th December 1900, D. Dis. No. 2456/Rev.

In reply to your letter No. 255/6783, dated the 10th December 1900, I have the honour to state that as the estimate for the new Collector's bungalow has only recently been sanctioned, I do not expect it will be ready for 1½ to 2 years.

2. Houses have already been built for the District Judge, Executive Engineer, Superintendent of Police, District Forest-officer and District Medical and Sanitary Officer. I do not think there is any chance of getting an official tenant. Possibly a non-official might take it, but only at a greatly reduced rent.

3. The best use it could be put to in my opinion is to get the European Club to move into it. I would suggest your putting yourself in communication with the Secretary.

Memo. No. 105, Educational.

The Collector of Madura is requested to be good enough to state whether there is any objection to selling the Tamkam bungalow and the adjoining land in the open market.

25th April 1901.

To the Collector of Madura.

Endt. No. 106, Educational.

The Chief Engineer is requested to be good enough to ascertain and report whether it is a fact that the Tamkam bungalow at Madura is so dilapidated as to be beyond the possibility of proper repair and to state, in consultation with the Government Architect, whether it is worth keeping the premises as a specimen of the architecture of its period.

25th April 1901.

To the Chief Engineer, Public Works Department.

From Colonel O. V. BODDY, R.E., Superintending Engineer, VI Circle, to the Secretary to Government, Public Works Department, dated Trichinopoly, 1st June 1901, No. 594 M.D.

I have the honour to forward herewith the remarks by the Consulting Architect on the state of the Tamkam bungalow at Madura.

2. I do not consider that the building is in so dilapidated a state as to be beyond the possibility of proper repair.

3. The verandah to the north of the dining-room was reconstructed some years ago, and that on the south side was also reconstructed about two years ago.

4. The building is in fair repair and can, without difficulty, be kept so.

5. The great objection to the building is that the accommodation in it is very limited. The building may not be a very noteworthy specimen of the architecture of the day, but it has some historic interest, and I consider that it should be kept up.

ENCLOSURE.

Remarks by the Consulting Architect to Government on the state of the Tamkam bungalow at Madura.

I inspected the Tamkam bungalow on the 15th May and do not consider "it is so dilapidated as to be beyond the possibility of proper repair". The verandahs off the dining-room have apparently been lately put up and are in good order, so too is the domed room and the arched

ambulatories surrounding this room, which is used as a drawing-room and sitting-room. The pillar supports, the crenulated arches, the large dome, and the small truncated roofs over the pillars are all quite good, strong, and the plaster work sound and in order; the repairs required on this floor are very petty and consist of a little patching here and there to the plaster and some colour or white washing. These rooms constitute the living rooms of the house; the upper rooms are not in very good order, but there is nothing to prevent them being put into good order.

2. The approach steps, a long steep awkward flight, are not in good order, but only need cementing.

3. The lower rooms, dark and unwholesome looking, are used as stores for tents and lumber; they are not in very good order; there is apparently little need to make them so, as they would never be lived in.

4. Although there is no doubt that the building could be easily repaired, I consider the whole arrangement and style of the house quite unsuitable for a European residence and most uncomfortable.

5. It is asked whether it is worth keeping the premises as a specimen of the architecture of its period. I certainly think not; that portion of the building used as a drawing and sitting room is the only part with any pretensions to architecture. This consists of a 21'3" dome supported on the crowns of crenulated arches sprung on to square pillars, and surrounding the dome are rows of pillars with similar arching supporting separate small truncated roofs. I submit a plan showing the arrangement of this floor.

6. The whole effect is very mean, the dome, which is the chief feature, is hemispherical; the dé being ornamented with a cornice of raised plaster figures on a very mean plaster base and is not worth looking at. The pillars have the usual court-house base and capital, and the crenulated arches are of an unusual and ungraceful type, which I do not remember to have seen before. The whole building is devoid of any detail, and evidences no peculiarity of construction; for these reasons I do not consider it worth keeping up as a specimen of architecture.

G. S. T. HARRIS,
Consulting Architect to Government.

No. 559.

Forwarded to the Superintending Engineer, VI Circle, with request that he will submit the above, together with enclosures, to the Chief Engineer with his remarks.

23rd May 1901.

G. S. T. HARRIS,
Consulting Architect to Government.

No. 2789 C., Public Works.

Transferred to the Educational Department.

2. The Chief Engineer has never seen the Tamkam bungalow, but from the description given of it by the Consulting Architect, who is a great authority in Indian architecture, he agrees with that officer that it is unworthy of maintenance from an architectural point of view.

11th June 1901.

W. B. DEWINTON,
Secretary to Government.

From J. A. CUMMING, Esq., I.C.S., Acting Collector of Madura, to the Secretary to Government, Educational Department, dated 15th July 1901, D. Dis. No. 1355-Rev.

In reply to Government Memorandum No. 105, dated 25th April 1901, I have the honour to state that there is no objection so far as I know to selling the Tamkam in the open market.

2. I believe it will fetch a very poor price. As a residence, it is unsuitable for any native except a zamindar, and as most of the zamindars of this district are in a bankrupt state, there is not likely to be any competition among them. The land in the compound is very inferior and unsuitable for cultivation. There was an experimental farm adjacent to it where operations were carried on for several years, but finally abandoned owing to the poverty of the soil. The land cannot be converted into wet being within half a mile of the new bungalows. It is too isolated and distant from the town to be used as house-sites.

3. I do not think it is expedient to dispose of the building by sale and I still hope it may be taken up for some semi-public purpose.

Order—No. 489, Educational, dated 3rd September 1901.

The Collector will be requested to see whether he can make any more definite proposals with regard to the Tamkam property. He will also state whether the bungalow can be maintained in a habitable condition and let for a reduced rent, and what price the property is likely to fetch if sold in the open market.

(True Extract.)

C. J. WEIR,
Ag. Secretary to Government.

To the Collector of Madura.
" Registrar, Madras University.
" Public Works Department.

READ—also the following papers:—

From A. G. CARDEW, Esq., M.A., I.C.S., Collector of Madura, to the Secretary to Government, Educational Department, dated 25th January 1902, D. Dis. No. 213-Rev.

With reference to G.O., No. 489, Educational, dated 3rd September 1901, and subsequent reminders, I have the honour to state that references have been made to the President, District Board, District Superintendent of Police and Secretary to the English Club enquiring whether they were prepared to buy or rent the Tumkum house. The first two replied in the negative, and the third said that the matter would be placed before a general meeting, which has not yet apparently taken place. I agree, however, in Mr. Cumming's opinion that the house would not fetch a good price.

2. The objection that has been urged to the house as a residence for the Collector is its insufficient accommodation. On this point I have consulted the Executive Engineer who tells me that two rooms can be added for Rs. 10,000 or Rs. 12,000. If that were done, the only reasonable objection to the retention of the house as a residence would disappear. As a new residence will cost Rs. 30,000, it would be decidedly cheaper to make the additions to the Tumkum.

3. Tastes differ, but for myself I prefer the present house, with a shady garden, a fine avenue leading to it, and the Public Park protecting it from native houses, to any brand-new residence on a treeless plain, without water, and none too far from the native burning ground. As Colonel Boddy said in his letter, dated 1st June 1901, No. 591, even if the building is not a very noteworthy specimen of the architecture of its day, it has some historic interest. The drawing-room is undoubtedly a most picturesque room and the house has also the merit of being cool. To exchange its solid walls for the 1' 4" of the Consulting Architect, with Mangalore tiles under which it is dangerous to sit without a hat, would be like going from the frying pan into the fire. I am in favour of retaining the present residence.

From A. G. CARDEW, Esq., M.A., I.C.S., Collector of Madura, to the Secretary to Government, Educational Department, dated 2nd May 1902, D. Dis. No. 1141-Rev.

In continuation of my letter, D. Dis. No. 213-Rev., dated 25th January 1902, I have the honour to submit herewith a statement showing the receipts and charges of the Tamkam Bungalow fund during the past decade and to bring to the notice of Government that during the last five years no amount was credited to the University fund, the cost of the necessary repairs and improvements to the building having swallowed up the whole amount collected as rent. For two years to come no portion of the rent can be spared for the University, as there still remains a sum of Rupees 1,899-3-5 to be adjusted towards the amount already expended—*vide* paragraph 1 of G.O., No. 412, Educational, dated 20th July 1897. Before the whole of this amount is adjusted necessity for further repairs may arise.

2. In these circumstances it might be advantageous to the University to make over the building to Government for a lump sum down, if Government were willing to buy it. The average credits to the University on a ten-year period from 1892-93 to 1901-1902 seem to be only about Rs. 350 a year which capitalised at $3\frac{1}{2}$ per cent. would amount to Rs. 10,000. I therefore beg to suggest that the purchase of the building for this sum might thus be considered. By this arrangement the University would be benefited, and Government by becoming the owner of the building would be enabled to carry out the extensions referred to in paragraph 1 of my letter of 25th January last without difficulty.

ENCLOSURE.

STATEMENT showing the receipts and charges of the Tamkam Bungalow Fund.

Year.	Total receipts during the year according to personal ledger account.	Total charges during the year.			Credits to the University.
		Petty repairs.	Taxes and establishment charges.	Adjustments made towards the sum expended from Provincial funds for repairs made some years ago— <i>vide</i> G.O., No. 412, Educational, dated 20th July 1897.	
Opening balance	RS. A. P. 8 4 6	RS. A. P. ..	RS. A. P. ..	RS. A. P. ..	RS. A. P. ..
1892-93	388 9 4	44 2 3	268 9 4	..	811 6 8
1893-94	369 13 0	207 6 0	213 11 2	..	830 3 0
1894-95	317 10 2	82 9 7	265 2 2	..	882 5 10
1895-96	423 11 6	32 10 9	303 11 6	..	776 4 6
1896-97	612 0 0	113 11 9	267 11 6	..	497 4 6
1897-98	1,106 0 0	110 7 3	267 2 4	..	Nil.
1898-99	1,300 0 0	58 8 0	216 0 0	1,000 0 0	Nil.
1899-1900	1,200 0 0	120 0 0	406 4 0	1,074 8 11	Nil.
1900-1901	1,200 0 0	44 12 0	294 9 7	673 12 0	Nil.
1901-1902	1,193 8 9	119 10 10	267 11 6	860 10 5	Nil.
Total	8,111 4 9	933 14 5	2,770 9 1	3,608 15 4	3,797 8 6

NOTE.—The items of receipts against the years 1892-93 to 1896-97 exclude the sums paid to the University, as they were adjusted in the accounts to the credit of the University direct without being brought to the accounts of the fund.

ORDER—No. 365, Educational, dated 20th June 1902.

Orders will issue in the Public Works Department for a thorough inspection of the Tamkam bungalow at Madura. A report should be drawn up showing (a) the

present value of the property, (b) the amount required for the proper repair of the building and for the provision of such additional accommodation as may be necessary in order to render it a suitable residence for the Collector.

(True Extract.)

H. A. STUART,
Ag. Secretary to Government.

To the Public Works Department.

Year.	Total receipts during the year according to personal ledger account.	Total charges during the year.				Credits to the University.
		Petty repairs.	Taxes and establishment charges.	Adjustments made towards the sum expended from Provincial funds for repairs made some years ago— <i>vide</i> G.O., No. 412, Educational, dated 20th July 1907.		
	RS. A. P. 8 4 6	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	
Opening balance						
1892-93	388 9 4	14 2 3	303 9 4		611 6 8	
1893-94	369 13 0	207 6 0	213 11 2		580 3 0	
1894-95	317 10 2	82 9 7	265 2 2		882 5 10	
1895-96	423 11 6	32 10 9	303 11 6		776 4 6	
1896-97	612 0 0	113 11 9	267 11 6		497 4 6	
1897-98	1,106 0 0	110 7 3	267 2 4		Nil.	
1898-99	1,300 0 0	58 8 0	216 0 0	1,000 0 0	Nil.	
1899-1900	1,200 0 0	120 0 0	406 4 0	1,074 8 11	Nil.	
1900-1901	1,200 0 0	44 12 0	294 9 7	673 12 0	Nil.	
1901-1902	1,193 8 9	119 10 10	267 11 6	860 10 5	Nil.	
Total	8,111 4 9	933 14 5	2,770 9 1	3,608 15 4	3,797 8 6	

NOTE.—The items of receipts against the years 1892-93 to 1896-97 exclude the sums paid to the University, as they were adjusted in the accounts to the credit of the University direct without being brought to the accounts of the fund.

End. V. A. Rajaveiu.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O., No. 365, EDUCATIONAL, DATED
20TH JUNE 1902.

[SUBJECT.—*Tamkam Bungalow, Madura.*]

Letter from the Registrar, Madras University, No. 516, dated 18th February 1901.

The property, known as the Tamkam bungalow in Madura, is vested in the Secretary of State upon trust for the founding and maintenance of two or more scholarships, called the Johnston of Carnsalloch scholarships. The trust deed is printed at pages 174–181 of the Madras University calendar for 1880–81 and the rules regarding the scholarships at page 78 of volume II of the Madras University calendar for 1900–1901.

2. According to the deed the management of the trust funds is entirely in the hands of the Secretary of State. The income from the property has in the first instance to be devoted to the payment of all costs, charges and expenses connected with the management and improvement of the premises, the residue being utilized for the payment of the scholarships.

3. In G.O., No. 215, Educational, dated 21st May 1877, the rent of the building was fixed at Rs. 100 a month, and in G.O., No. 193, Educational, dated 27th May 1878, it was decided that the rent should be paid over to the University after deducting 10 per cent. for repairs. Other charges, such as gardener's pay, quit-rent and municipal assessment, seem also to have been paid from the rent and the balance handed over to the University. From the net proceeds thus received the University spent only Rs. 480 *per annum* in scholarships, and the balance was allowed to accumulate, but the cost of important repairs and additions to the building, which was not previously deducted from the proceeds, was until 1895 met from this accumulated balance. In 1895, however, the University declined to provide funds for carrying out certain repairs sanctioned by Government, saying that they had no power under the trust deed to utilize the accumulated balance for repairs to the building. Thereupon the Government directed that in future the income from the property should not be handed over to the University until the cost of all necessary repairs to the bungalow had first been liquidated—*vide* G.O., No. 602, Educational, dated 29th September 1896, and G.O., No. 412, Educational, dated 20th July 1897. Since April 1897 therefore the balance of the rent, after deducting gardener's pay and rates and taxes, has been paid to the Public Works Department in settlement of the advance made from Provincial funds for meeting the cost of certain repairs and additions. This advance amounts to Rs. 6,549, out of which Rs. 2,748 has been paid during the last three years. A sum of Rs. 3,801 has thus still to be paid—*vide* G.O., No. 376, Educational, dated 20th August 1900.

4. The University now bring to the notice of Government that, as since 1898 they have not been in receipt of any amount to defray the cost of the scholarships, the accumulated balance of the scholarship fund has dwindled to Rs. 3,720. It is also stated that, as the construction of a new residence for the Collector has been sanctioned, the Tamkam bungalow will at no distant date be vacated by the Collector and that it will then have to be relet at a greatly reduced rent. In view of these

circumstances, the University consider that the fund is within measurable distance of insolvency and suggest the desirability of reconsidering the terms of agreement between the Government and themselves, legal opinion being obtained as to the possibility of modifying the same in one of the following ways:—

(1) that the property be sold and the proceeds credited to the University for the purpose of maintaining as many scholarships as possible, or

(2) that the Government should take over the property and guarantee to the University an annual income sufficient to maintain the two existing scholarships.

5. The fear of the University that the fund will soon become insolvent appears to be groundless. The sum of Rs. 3,720 now in their hands will be sufficient to maintain the scholarships for nearly eight years and the liability of the fund on account of repairs and additions made to the bungalow will be liquidated in four years. After four years the income from the building will be available for the purposes of the scholarships. The trust property in this case is the bungalow and not the fund which is only the unexpended balance of the proceeds of the property. Even if the rent be considerably reduced in future, the net proceeds can hardly go below Rs. 480 *per annum*.

A. T. A[RUNDEL].

6. The primary object of the trust is the maintenance of the property. The University are bound to utilize only whatever balance is available after the property is maintained in good condition. There appears therefore to be serious legal objection to the first proposal of the University to sell the premises. The second is practically what obtains now, only the amount of the annual income is not guaranteed. The property is vested in Government and they pay over the net proceeds. If in one year these proceeds fall below Rs. 480, they may be more in another year, but if ever there is a deficit the University have only to reduce the amount of the scholarships. It is submitted that this may be pointed out to them.

T. KANAKASUNDARAM PILLAI—27-2-01.

P. T. THARYAN—27-2-01.

I think we should have legal advice in any case where there is trust property, and would suggest that the opinion of the Advocate-General should be taken.

A. T. PRINGLE—28-2-01.

If the Government do not desire any change made, it is unnecessary to consult the Advocate-General. What is going on is perfectly legal. It is, however, the case that the building is dilapidated beyond proper repair and in a few years probably very small rent will be received on account of it. If it could be sold for Rs. 16,000, it would bring in the Rs. 480 now paid in scholarships. Apparently there is about 14 acres of land attached to the house and the value of the property may be considerable.

Yes. Ask the Advocate-General.

A. T. A[RUNDEL]—2-3-01.

It would seem advisable to take advice as to whether the property might not be sold. Probably the permission of the High Court will be necessary.

2. There is the further question whether it is worth keeping up the house as a specimen of the architecture of its period, but it has had so much D.P.W. of the nineteenth century added to it that it seems hardly worth preserving.

A. T. A[RUNDEL].

M. HAMMICK—28-2-01.

A. T. A[RUNDEL]—2-3-01.

Referred to the Advocate-General u.o. for favour of opinion.

M. HAMMICK—4-3-01.

Opinion.

If it should be considered desirable to sell the trust property, I am of opinion that this may be effected under the Charitable Endowments Act (VI of 1890). For this purpose it will be necessary that the trustee (the Secretary of State) should apply to the local Government, and that on such application the local Government should order, by notification in the official Gazette, that the trust property should be vested in the Treasurer of Charitable Endowments. Under section 10 the local Government may then order the Treasurer of Charitable Endowments to sell the trust property so vested in him, and to invest the proceeds in any such security for money as is mentioned in section 4, or in the purchase of immovable property. This would appear to be a more convenient course than for the Advocate-General to file a suit under section 539 of the Civil Procedure Code, in which case it would be necessary to show strong grounds to induce the Court to authorize the sale.

J. P. WALLIS—13-3-01.

The file may now be resubmitted to the Honourable Member for orders.

T. KANAKASUNDARAM PILLAI—14-3-01.

P. T. THARYAN—14-3-01.

A. T. PRINGLE—15-3-01.

M. HAMMICK—15-3-01.

The course indicated by the Advocate-General should be taken.

A. T. A[RUNDEL]—18-3-01.

The Advocate-General states that the Secretary of State should, under the Charitable Endowments Act, 1890, make an application to the local Government for vesting the trust property in the Treasurer of Charitable Endowments. Orders are solicited as to who should, in this case, make the application on behalf of the Secretary of State. If it is the local Government, they will be applying to themselves. Perhaps the Advocate-General may be asked u.o. to advise Government on this point.

T. KANAKASUNDARAM PILLAI—19-3-01.

P. T. THARYAN—19-3-01.

Yes.

A. T. PRINGLE—20-3-01.

C. J. WEIR—20-3-01.

[To the Honourable the Advocate-General.]

I think the Secretary of State, acting in his capacity as trustee of the charity under the trust deed, should request the local Government to order, by notification in the official gazette, that the trust property be vested in the Treasurer of Charitable Endowments.

J. P. WALLIS—30-3-01.

The draft placed below may now issue, subject to the Honourable Member's approval.

P. T. THARYAN—9-4-01.

A. T. PRINGLE—9-4-01.

With reference to the draft Government order and letter to Secretary of State I venture to submit that it would be wise before proceeding further to make some inquiries and satisfy ourselves as to facts.

2. I doubt if it is correct to say that the bungalow is dilapidated beyond proper repair. The central part of the bungalow is not dilapidated in the least, and the wing, which was in a state of disrepair, was two years ago, when I was there, being repaired by the Public Works Department, I understood, thoroughly.

I think we should consult the Public Works Department as to this statement.

3. Paragraph 3 of the draft is also to my mind disputable. The main feature of the building is the centre room with the lotus roof, and this is untouched and unspoiled by the Public Works Department.

Sir Arthur Trevor, of the Viceroy's Council, stopped with me two years ago in the Tamkam and was immensely charmed with it. I would suggest that the Government Architect, who, I understand, frequently visits Madura in connection with the erection of official residences there, might be consulted on this aspect of the question.

4. If the Tamkam and the land attached are to be sold, I submit that Government ought to buy to prevent the land falling into the hands of persons who would build native houses and bazaars thereon. If this is allowed, the object with which the houses of European officers were moved to their present position would be largely defeated as there would be a dirty native quarter springing up in their neighbourhood. At present the Tamkam grounds which adjoin the People's Park keep this neighbourhood from being built upon. It would, of course, fall more properly to the Municipality to acquire the land if sold to add on to their present park, but they are not likely to have the money, and as I have said in marginal note above I think some of the land is likely to be required for Government. I would suggest therefore that the Collector might be asked if there is any objection to selling the Tamkam and land adjoining in the open market.

A. T. A[RUNDEL].

C. J. WEIR—10-4-01.

By all means make the references and make sure of facts.

A. T. A[RUNDEL]—11-4-01.

The drafts below may issue?

P. T. THARYAN—12-4-01.

Yes.

A. T. PRINGLE—22-4-01.

From the Public Works Department, No. 2789 C., dated 11th June 1901.

To lie over till a reply to Memo. No. 105, dated 25th April 1901, is received from the Collector of Madura.

P. T. THARYAN—15-6-01.

Yes.

A. T. PRINGLE—17-6-01.

From the Collector of Madura, Dis. No. 1355, Rev., dated 15th July 1901.

The Superintending Engineer, VI Circle, and the Consulting Architect are of opinion that the Tamkam bungalow is not in so dilapidated a state as to be beyond the possibility of proper repair and that it is in fair repair and can, without difficulty, be kept so.

2. As to the question of keeping up the bungalow, the Superintending Engineer says that it has some historic interest, and considers that it should be kept up. The Consulting Architect and the Chief Engineer are of opinion that it is unworthy of maintenance from an architectural point of view.

3. The Collector of Madura states that there is no objection to selling the bungalow in the open market, but considers that it will fetch a very poor price. He hopes that it may be taken up for some semi-public purpose.

4. With reference to the Secretary's marginal note on page 4 *supra*, the Public Works department may be asked u.o., to state whether it is in contemplation to construct an office for the Collector, and if so, whether the Tamkam property can be utilized for that purpose.

T. KANAKASUNDARAM PILLAI—30-7-01.

P. T. THARYAN—31-7-01.

A. T. PRINGLE—2-8-01.

I think they are improving or enlarging the present office, but unless this is rebuilt, it can never be satisfactory. We may, however, ask Public Works department as proposed.

C. J. WEIR—2-8-01.

To the Public Works Department.

PUBLIC WORKS DEPARTMENT.

There is no proposal before Government to construct a new office for the Collector of Madura. The existing office is now being improved at an estimated cost of Rs. 39,510. I note, in a file before the Sanitary Board, that Madura is in urgent need of a new site for its hospital. Could not this property be utilized for this purpose? It would be a great pity to allow it to be built over by native houses.

W. B. DEWINTON—5-8-01.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

A Local and Municipal may be asked regarding the proposal to utilize the Tamkam property as a site for the municipal hospital. It would seem, however, that the property is too far away from the town to be thought of in this connection.

P. T. THARYAN—6-8-01.

As at A.

A. T. PRINGLE—7-8-01.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

There has been no proposal to construct a new hospital in Madura. In 1897, the Surgeon-General pointed out that the existing hospital buildings were in a bad state of repair and unworthy of a large town like Madura and had a group of insanitary native houses in their centre and suggested that the District Board and the Municipal Council should make a joint effort to construct a proper hospital on the

standard plan. The Municipal Council has, however, decided upon improving the existing buildings by repairing them thoroughly and by constructing an out-patient dispensary and an operation room. The cost of a new dispensary on the standard plan and of the improvements to the existing hospital are roughly estimated at Rs. 16,000 and plans and estimates for these are under preparation by the District Board Engineer, Madura, while steps have been taken to acquire the land occupied by the houses in the north-west corner of the hospital. There is no information as to whether the new dispensary is to be constructed in the compound of the existing hospital, in which case the land acquired will be utilized for the purpose, or whether it is to be built in a different place, in which case perhaps a new site will be required. Even in the latter case, it would be very desirable that the site is as near the hospital as possible, which the Tamkam property does not appear to be.

V. RAGHAVA CHARLU—13-8-01.

EDUCATIONAL DEPARTMENT.

And, I should say, of quite unsuitable construction.

J. T[HOMSON.]

The Tamkam is quite out of the question as a municipal hospital as it is too far away from the town. Government has committed itself apparently to maintaining the existing Collector's office and so the building cannot be utilized in that way. I cannot, however, understand the Collector's opinion that the site is too isolated and distant from the town to be used for house-sites.

2. There is already a considerable native village close by, and as all the lands in the neighbourhood are now being irrigated by Periyár water, there is every reason to expect that houses will spring up in this quarter. If native houses of a poor stamp spring up, it will spoil this part of Madura which has hitherto been kept open and healthy. Mr. Cumming might perhaps be asked the grounds for his hopes that the building may be taken up for a semi-public purpose.

C. J. WEIR—15-8-01.

Seems somewhat of an impossible business all round. Ask the Collector if he can make any more definite proposals with regard to the property. If it can be let (and maintained habitable) at a reduced rent, that will have to be faced. Its actual value in the market—for sale—may also be ascertained, but sale should be only in the last resort I think.

J. T[HOMSON]—17-8-01.

The draft placed below may issue.

P. T. THARYAN—3-9-01.

Yes.

C. J. WEIR—3-9-01.

[G.O., No. 489, Educational, dated 3rd September 1901.]

From the Collector of Madura, No. 213, dated 25th January 1902.

The Collector's letter may be sent u.o. to the Public Works department for remarks.

2. From this letter it would seem that the chief reason for the decision to construct a new building for the Collector was the want of sufficient accommodation in the Tamkam bungalow. But the scholarship fund is unable to find the extra ten or twelve thousand rupees necessary to provide additional rooms, and Government cannot

Why not?

J. T[HOMSON]—25-3-02.

spend the amount on a university building. The best solution out of the difficulty seems, therefore, to be for Government to take over the building at a valuation and hand the proceeds over to the university for investment in Government

securities for the maintenance of the scholarships. It may perhaps be necessary for this purpose to vest the property in the treasurer of charitable endowments in the first instance, but this point may be further considered if the suggestion is approved.

3. If Government take over the property, they can conveniently add the two rooms required and cancel the arrangements for a new building for the Collector.

P. T. THARYAN—5-2-02.

I think Secretary will like to note on this case himself as he is interested in it.

A. T. PRINGLE—6-2-02.

I share Mr. Cardew's preference for the Tamkam if in decent repair to the proposed new residence. The Tamkam has the merit of being very cool, a most important consideration in Madura. Is there any insuperable difficulty in the way of Government constructing the two rooms needed without taking over the whole building and thereafter taking a portion of the rent arrived at in accordance with the usual Public Works department calculations?

C. J. WEIR—7-2-02.

The Public Works department may be consulted as at B.

P. T. THARYAN—8-2-02.

I should think there was no insuperable difficulty, but do not like to say so for certain without consulting the Public Works department. The notes may be sent to that department u.o. as proposed.

A. T. PRINGLE—10-2-02.

C. J. WEIR—10-2-02.

To the Public Works department.

PUBLIC WORKS DEPARTMENT.

Office-note from the Secretary to Government, Public Works department, to the Examiner, Public Works Accounts, Madras and Coorg, No. 1218-C., dated 20th February 1902.

Please state whether there is any audit objection to the proposal made by Mr. Weir in the passage marked B above.

Office-note from the Examiner, Public Works Accounts, Madras and Coorg, to the Secretary to Government, Public Works department, dated Madras, 1st March 1902, No. 293-A/A.

[Your O.N. No. 1218 C., dated 20th February 1902.]

The propriety of the proposal from a legal point of view has, in the first instance, to be definitely ascertained and, if no objection is declared to exist, and Government is satisfied that the circumstances of the building call for special treatment, there would, in my opinion, be no audit objection to the estimate for this extension of the building being sanctioned and the cost debited to "45. Civil Works—Provincial". I would, however, suggest that as the case is a special and unusual one not covered by any existing rule the action of the local Government may be reported to India for confirmation.

2. When the extension is completed and made over for occupation, the normal rent of the extended portion leviable under the rules will apparently have to be charged to the Collector, but if, under the operation of the rule in Public Works Department Code, 1068-I (b), the rent recoverable from him is limited to 10 per cent. of salary, the proportion of such rent creditable to Government will have to be definitely fixed by Government.

Please see the Examiner's office note No. 293-A/A., dated 1st March 1902.

R. W. LYONS.

S. B. MURRAY—5-3-02.

To the Educational department.

A. H. GARRETT—7-3-02.

EDUCATIONAL DEPARTMENT.

For orders.

P. T. THARYAN—17-3-02.

This is become rather confusing. Would not the simplest plan be to move the Secretary of State to vest the building in the treasurer of charitable endowments, and then to instruct the treasurer under section 10 of the Charitable Endowments Act, 1890, to sell it to Government, investing the proceeds in one of the ways named in the Advocate-General's opinion of 13th March 1901? Once the property of Government, such additions as may be necessary may be carried out without difficulty and without audit objections.

A. T. PRINGLE—18-3-02.

It does not seem possible to add any thing of value to the notes. The proposal of the Assistant Secretary seems the best under the circumstances.

M. HAMMICK—21-3-02.

The trust-deed is not with me. But I cannot well see why the Secretary of State should seek to divest himself of the trust in order that he may become owner in fee simple. Can he not do as he pleases with the property and is not the University entitled only to the residue after due conservation? It seems simply a matter of the keeping of the accounts if—as I understand—the State can always provide an occupant and saddle him with a proper rent, and provided always that the property is worth the laying out of money upon, as I understand it is.

2. Consult the trust-deed, and refer to the Government Solicitor if necessary.

J. T[OMSON]—25-3-02.

As far as I can understand the trust-deed, there is nothing in it to prevent Government advancing Rs. 12,000 and *improving* the building by adding further accommodation. The rent of the building may then be raised, and Government could continue to pay the Rs. 480 *per annum* to the University for the scholarship and account for the balance, by crediting part of it to a sinking fund to pay off the Rs. 12,000 and the rest to repairs and interest on money laid out.

2. The proposal to build the rooms from Government money and then pay two separate rents, which is apparently what Mr. Weir suggested, would hardly be possible.

Where is the trust-deed? Put it up please.

G. STOKES—27-3-02.

3. Perhaps we had better first consult Finance and Public Works departments.

M. HAMMICK—26-3-02.

To the Financial department

„ Public Works department

} to be kindly passed on.

With reference to the Chief Secretary's note on the margin above the Madras University calendar for 1880-81 containing the trust-deed printed on pages 174-181 is put up. It will be seen from the portions underlined and marked with blue chalk in that document that, as pointed out in paragraph 2 of the Educational note on page 1 of these notes, the primary object of the trust is the maintenance of the property; that the income of the property has in the first instance to be devoted to the payment of all costs, charges and expenses connected with the management, maintenance and repairs and *improvement* of the premises; and that only the residue should be made available for the maintenance of the scholarships. It is submitted that there would appear to be no objection therefore to the *improvements* to the building being carried out by Government from Provincial funds in the first instance and to the charge being subsequently recovered from the receipts of the Tamkam property. This would appear, besides, to be the best solution of the difficulty and the simplest course to follow, as a similar arrangement was sanctioned in G.O., No. 412, Educational, dated the 20th July 1897, and the balance of the cost of the repairs and additions then made is still being recovered under that arrangement. When the further expenditure now proposed is sanctioned, the annual statement of receipts and charges of the Tamkam property can continue to be submitted to Government when orders can, as at present, be passed as to the amount to be paid to the Public Works department in each year. In the meantime the University can, it is submitted, go on maintaining the scholarships from the accumulated surplus at its disposal which, as pointed out in paragraph 5 of the Educational department note on page 2 of these notes, is of sufficient amount to last for nearly eight years. At the end of that period Rs. 480 can be made over to the University for the scholarships, the balance remaining in the hands of Government for recouping its expenses and for maintaining the property in proper condition.

F. A. D'CRUZ—18-4-02.

The objection to this arrangement is that it will plunge the fund into liabilities which it will take many years to clear off and thus indefinitely prolong the present state of affairs. The amounts refunded by the Tamkam Bungalow fund since 1897-98 have been—

	RS.	A.	P.	
1897-98	1,000	0	0	G.O., No. 330, Edl., dated 30th May 1898.
1898-99	1,074	8	11	„ „ 266 „ „ 10th „ 1899.
1899-1900	673	12	0	„ „ 184 „ „ 27th April 1900.
1900-1901	860	10	5	„ „ 225 „ „ 25th „ 1901.
Total	3,608	15	4	

or an average of Rs. 900 *per annum*. A sum of Rs. 2,940 is still due on the old repair account, and if Rs. 12,000 is now spent on the building the liability of the fund will stand at about Rs. 15,000. The construction of the proposed additions would raise the rent leviable from the Collector and therefore the income of the fund; but even with this increased source of revenue it will probably take about ten years for the fund to clear off its debt. The proposal at B on page 7 of the notes, to which the Examiner, Public Works Accounts, sees no objection (*vide* his note dated 1st March 1902 on page 8 of the note file), is, however, slightly different from this. It is apparently that Government should undertake the extensions and virtually become owner of that portion of the building so far as the rent is concerned.

G. STOKES—30-4-02.

This arrangement of a joint ownership would, it is thought, induce complications and would be undesirable. The local

authorities are in favour of the Government becoming possessed of the building, and this, it is submitted, is the best solution of the matter, action being taken as suggested in the Assistant Secretary's note, dated 18th March 1902, on page 8 of the notes. It is presumed that in that case the amount due to Government (Rupees 3,000 roughly) would be deducted from the selling price. The value of the

building is not stated, but with an elastic budget this year there will probably be little difficulty in finding a sum of 30 lakh for the purchase and extensions before the close of the current financial year.

C. M. SCHMIDT—29-4-02.

G. STOKES—30-4-02.

To the Public Works department.

PUBLIC WORKS DEPARTMENT.

The suggestion at C of the Financial department note above appears to be the best.

S. B. MURRAY—1-5-02.

A. H. GARRETT—1-5-02.

To the Educational department.

EDUCATIONAL DEPARTMENT.

Please see Honourable Member's note on page 8 *supra*. The question for decision now is whether for the purpose of becoming absolute owners of the property it should first be vested with the sanction of the Secretary of State in the treasurer of charitable endowments and then purchased from him. The Advocate-General said in his opinion on page 2 of the notes: "If it should be considered desirable to sell the trust property," this might be done under the Charitable Endowments Act. His opinion therefore seems to have reference only to the first of the proposals made by the University—*vide* last two lines on page 1 of the notes. It is the second proposal

at the top of page 2 that we have now to consider, and the Government Solicitor may perhaps be asked whether for the adoption of this proposal also action should be taken under the Charitable Endowments Act. Honourable Member * seems to be doubtful about this.

* He merely threw out the suggestion that there might be some doubt, in which case it would be desirable to consult the Government Solicitor.

A. T. PRINGLE.

P. T. THARYAN—3-5-02.

I think there can be no doubt. Trust property is sold in either case.

2. A draft moving the Secretary of State to vest the bungalow in the treasurer of charitable endowments may be prepared.

A. T. PRINGLE—9-5-02.

From the Collector of Madura, No. 1141, dated 2nd May 1901.

A further letter from Mr. Cardew about the Tamkam bungalow has just been received. He thinks that Government should take over the property for Rs. 10,000 and pay the amount over to the University. It is submitted, however, that the price of the property should depend on the report of the Public Works department. If they value it at a higher figure it seems but fair that the University should benefit to that extent. This point, however, may be considered after the Secretary of State's application is received to vest the property in the treasurer of charitable endowments. The old draft despatch passed by the Assistant Secretary is in Madras and I have called for it. On receipt it may be sent on with or without modification for approval of the Honourable Member.

P. T. THARYAN—10-5-02.

Await it.

A. T. PRINGLE—12-5-02.

This has now been received, and a revised draft order and despatch to the Secretary of State are now submitted for approval.

P. T. THARYAN—14-5-02.

Proof please as altered, printing up the notes to date.

A. T. PRINGLE—16-5-02.

Will the Honourable Member accept the disposals?

2. As regards his note at the top of page 9, the Advocate-General's view is believed to be on the lines of safety where trust property is concerned. At present the State cannot, I submit, do "what it pleases", and even if what it did was, on the face of it, in the interests of the Tamkam, there would be the possibility of a suit on the part of the representatives of Campbell-Johnston, if he is dead. This may be unlikely, but one can never tell, and there is no danger if the course proposed in the drafts is adopted. The departments which have been consulted (the Financial and Public Works departments) favour its adoption for other than legal reasons. When the Tamkam is owned in fee-simple by the State, everything will be easy, but there should be the intermediate stage of the treasurer of charitable endowments and we cannot arrive at that stage without moving the Secretary of State.

A. T. PRINGLE—31-5-02.

(Delayed for a week in consequence of the neglect of the press to carry out an instruction.)

A. T. PRINGLE—6-6-02.

Again this comes up to me without any copy of the trust-deed. But pages 116 and 117 of the file go to show that Government may deal with the bungalow "as it pleases" by way of managing, maintaining, repairing and improving. These were the only points I had in view when I said on page 9 of the notes that the Secretary of State could do as he pleased; his powers of course lie within the trust-deed and the law of trusts.

The trust-deed is printed in the Madras University calendar for 1880-81, pages 174-181.

Copy of the calendar is now put up.

T. KANAKASUNDARAM PILLAI—10-6-02.

State could do as he pleased; his powers of course lie within the trust-deed and the law of trusts.

2. Now the condition of things is this: the market value of the property is very indeterminate—*vide* page 130; it seems to be in continual repair or necessity thereof; it is an ill-contrived residence from a European point of view; opinion favours retaining it as the Collector's residence but demands additions; the University, for whose ends, ultimately, it is held, cannot spend money on it; if it is to continue as a residence, Government only can make it a satisfactory one.

3. The present proposal is to convert it into money—at a valuation—and take it over for Government uses, the valuation money being funded with the treasurer of charitable endowments and applied to the purposes of the trust.

4. How will the Government of Madras profit by this? The Government is to make the valuation—a difficult and an invidious proceeding since the property is in its trust. Has the history of Government's acquisition of old houses shown any wisdom hitherto? So far as I know, it shows that Government then proceeds to repair and repair till repairs and cost price combined far exceed the value of the residence as a residence for the unfortunate Government servant who has to occupy. But he is saddled with the rent all the same as far as his salary will permit. This is precisely what will occur with reference to the Tamkam.

5. I know the house and the grounds, and would probably prefer to live in it rather than in such a grand new house as Government is likely to build instead. It may not seem a very advisable thing for Government to spend its own money in patching, repairing, extending or improving the Tamkam. But I think it will be wiser to do so than to become the owner of it, for I am sure it will not stand to lose under the first what it will lose under the second process.

6. *Vide* page 5 of the notes for Public Works department opinion hitherto. I propose a thorough inspection and report by the Public Works department to show (1) present value, (2) amount required for proper repair and the accommodation of the Collector. Thereon we can consider whether we shall spend that amount, or retire from the trust altogether.

7. There has been an utterly unnecessary amount of writing hitherto. I hope the above will end it if my honourable colleagues do not adopt the present Secretariat proposal. It I do *not* like.

Circulate please.

J. T[THOMSON]—8-6-02.

I think the best way to deal with this matter is to get the report called for by Mr. Thomson at D. If satisfactory, Government can then advance the money needed for the improvement of the building. This will bring in increased rent which may be applied to the liquidation of the charge against the property. I note that the object of the trust is the maintenance of the building not the continuance of the scholarships. The income from the property should therefore go first to the maintenance of the building, and if and when there is any sum available it may be made over to the University for scholarships.

G. S[TOKES]—11-6-02.

I concur.

A[MPHILL]—14-6-02.

The draft below may issue.

T. KANAKASUNDARAM PILLAI.
17-6-02.

The Public Works department may be asked whether they will concur in the draft disposal.

A. T. PRINGLE—18-6-02.

H. A. STUART—18-6-02.

To the Public Works department.

PUBLIC WORKS AND EDUCATIONAL DEPTS.

The draft is accepted in the Public Works department.

S. B. MURRAY—19-6-02.

A. H. GARRETT—19-6-02.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Print up. [The trust-deed should be printed in the Proceedings.]

A. T. PRINGLE—20-6-02.

[G.O., No. 365, Educational, dated 20th June 1902.]

Educational (190²) Department. 14

CURRENT No. 164.

From

[Name] A. G. Cardew Esquire M.A. J. L. S.

[Designation]

Collector

[Station]

Madura



Print with notes & show in duplicate

Dis. No. 213 of 1902

Received 1902

Dated 25 January 1902

Enclosures 29

Registered 1-2-1902

SUBJECT.

Reporting on the question of disposing of the Tunkum bungalow, in view of the fact that a new residence for the collector to be erected.

BACK PAPERS.

FURTHER PAPERS.

To

The Secretary to Government,

Educational Department.

Madras.

Sir,

With reference to Government Order No.489 Educational dated 3rd September 1901, and subsequent reminders, I have the honour to state that references have been made to the President, District Board, District Superintendent of Police and Secretary to the English Club, enquiring whether they were prepared to buy or rent the Tumkum house. The first two replied in the negative, and the third said that the matter would be placed before a general meeting, which has not yet apparently taken place. I agree, however, in Mr.Cumming's opinion that the house would not fetch a good price.

2. The objection that has been urged to the house as a residence for the Collector is its insufficient accommodation. On this point I have consulted the Executive Engineer who tells me that two rooms can be added for ₹10000 or ₹12000. If that were done, the only reasonable objection to the retention of the house as a residence would disappear. As a new residence will cost ₹30000, it would be decidedly cheaper to make the additions to the Tumkum.

3. Tastes differ, but for myself I prefer the present house, with a shady garden, a fine avenue leading to it, and the Public Park protecting it from native houses, to any brand-new residence on a treeless plain, without water, and none too far from the native burning ground. As Col. Boddy said in his letter 1st June 1901-No.591, even if the building is not a very noteworthy specimen of the architecture of its day, it has some historic interest. The drawing-room is undoubtedly a most picturesque room and the house has also the merit of being cool.

1,000-39-11-00.

Educational (1902) Department.

CURRENT No. 744

From

[Name] A. G. Cardew Esquire. M.A. D.C.S.

[Designation] Collector

[Station] Madurai.

Order No. 1141 of 1902

Dated 2nd May 1902

Enclosures one

Received 190

Registered 9.5.1902

SUBJECT.

Submitting further report on the question of the disposal of the Tumkum Bungalow at Madurai Town.

BACK PAPERS.

Letter no 243 Rev. 25-1-02 & papers put up for

FURTHER PAPERS.

Public Works (1902) Department.

CURRENT No. 2315

From

[Name] A. G. Harrison, Esq.

[Designation] Examiner PW Account. Madras & Coorg.

[Station] Madras.

To
The Secretary to Government,

Educational Department.

Madras.

Sir,

In continuation of my letter D.Dis.No.213/Revenue of 1902 dated 25th January 1902, I have the honour to submit herewith a statement showing the receipts and charges of the Tankam Bangalow Fund during the past decade and to bring to the notice of Government that during the last five years no amount was credited to the University Fund, the cost of the necessary repairs and improvements to the building having swallowed up the whole amount collected as rent. For two years to come, no portion of the rent can be spared for the University, as there still remains a sum of ₹1899-3-5 to be adjusted towards the amount already expended-Vide para 1 of Government Order No.412 Educational dated 20th July 1897. Before the whole of this amount is adjusted necessity for further repairs may arise.

2. In these circumstances it might be advantageous to the University to make over the building to Government for a lump sum down, if Government were willing to buy it. The average credits to the University on a ten-year period from 1892-1893 to 1901-1902 seem to be only about ₹350 a year which capitalised at 3½ per cent would amount to ₹10000. I therefore beg to suggest that the purchase of the building for this sum might thus be considered. By this arrangement the University would be benefited, and Government by becoming the owner of the building would be enabled to carry out the extensions referred to in para 1 of my letter of 25th January last without difficulty.

I have the honour to be,

Sir,

Your most obedient servant,

Apendra Bai

For Collector.

No. 293 A/A

Dated 18th February 1902.

Enclosures { Plans } Total 1 file
{ Others 1 file }

Spare copies _____

Received _____ 190 .

Registered } 3 . 3 . 1902

SUBJECT.

Tankam Bangalow — Offer remarks
re. the extension to the building — at
Govt. expense.

BACK PAPERS.

FURTHER PAPERS.

Office Note.

C

113102

1867
~~The Tanham bungalow is,~~
 Owing to its limited accommodation,
 the Tanham bungalow is
 considered unsuitable as a residence
 for the Collector ^{and as} the university is not
 in a position to build additional rooms
 and ~~the~~ the bungalow will hardly fetch
 a fair rent if vacated by the Collector.
 The Governor in Council ~~therefore~~ resolves,
 in the interests both of the university ~~and~~
~~with~~ ^{and} of the Collector, to take over the
 property at a valuation ^{by the P. W. Dept} and to devote the
^{equivalent of the purchase money}
~~price which may be forced out by the P. W. D.~~
 to the maintenance of the Johnston of
 Carnsalloch Scholarships. ^(Spent on)
 It is ~~advised~~ ^{advised} that this can most conveniently

be effected under the Charitable Endowments Act, 1890, the Secretary of State for India, by whom the property is held in trust, will be requested to make an application under Section 4 of the Act for vesting the property as a preliminary step in the Treasurer of Charitable Endowments.

PH
14/5/2

M.L.
16.5.2

To the Registrar of the M. U.
D.P.G.
P.W.D.
F.D.

Letter
To
The Right Honble the Secretary of State for India.

My Lord,

We have the honour to forward, for your Lordships information, a copy of our proceedings no. 281 of 1902 on the subject of a certain property in the Madras district the subject of the Santhambrington in Madras which was granted by the Court of Directors for educational purposes to Sir Alexander Johnston in 1839, and which his son, W. P. F. Campbell Johnston, vested ^{in 1872} in the Secretary of State for India in 1872 in trust for the founding and maintenance of two or more Scholarships in connection with the Madras University - to be called the Johnston of Carnallock scholarships. The proposal for the founding of the scholarships received the sanction of the ~~late~~ Duke of Argyll in his despatch no 14, Revenue, of 18th May 1871.

2. Owing to their limited accommodation the premises are now considered unsuitable as a residence for the Collector, and the University cannot afford to bear the cost of

ρ

W/L
We are advised { the
obdurate general

the purchase-money in the
manner already indicated.

16.52

1 000—25-10-01

[illegible]

READ ALSO:—

C. No. 164, From the Collector of Madura D. O. No. 213 Rev, dated 25th January 1902.

" " 744 " " 141 Rev. " 2nd may 1902

Print in full. The trust deed Cat. pp 174-181 of the Madras University Calendar for 1880-81

~~ORDER~~

No 365, dated 20. 6. 1902.

Order will issue in the P.W.D.
The P.W.D. is requested to be
good enough to arrange for a
thorough inspection of the Tankam
bungalow at Madurai, and to have
A report ^{to be} drawn up showing (a) the
present value of the property and
(b) the amount required for the proper
repair of the building and for the
provision of such additional accommo-
dation as may be necessary ⁱⁿ for
rendering it a suitable residence
for the Collector.

AMP
18-62

To The P. W. D. Deptd
a Collector of Madras 28/12

7.64
17-6-02

SECRETARY'S OFFICE

[Faint, mostly illegible handwritten text on lined paper, possibly bleed-through from the reverse side.]

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O., No.
190 .

DATED

CURRENT No.

ENCLOSURE TO G.No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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