

Educational (1896) Department.

ORDINARY MS.

G.O., No. 4 84

Dated 12th August 1896.

INDEXED.

[Despatch Abstract.]

TANJORE JUBILEE FUND.

Authorizing the Collector of Tanjore to be a trustee of the--

*Note -
Paper forwarded
to the Secy. to Govt.
on 12.12.97
14.12.97*

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	C.N. 79 of 97	ED	25-2-97				

Educational Dept
Current No. 893
From

The Collector of
Tanjore

To
The Chief Secretary
to Government
Educational Department
Madras

Dated 16th July 1896.

Refon No. 951 of 1896
Recd 20 July 1896. G.A.B.
Regd 20

Enclos. 3

Subject

Requesting sanction for
undertaking the trustee
ships of the Jubilee Fund.

Sl. No 694: 13-6-96 Lodged
- " 872: 14-11-95
FROM 726: 2-9-95 -

THE COLLECTOR OF

TANJORE,

To

THE SECRETARY

TO GOVERNMENT,

DEPARTMENT,

Madras.

Dated
Despatched
Received

188

No.

ENCLOSURE

Subject.

H.M.
Order No. 484 of 12th Aug 96
11/8/96

The Collector of
Tanjore will be authorized
to accept the trustee ship of
the Tanjore Jubilee Fund.

7/8/96

15/8/96

To
The Coll of Tanjore 940.
15/8/96

D.O.

Government College
Kumbakonam

10th July 1896.

Dear Mr. Stokes

Before taking any action in reference
to the matter of our Conversation the other morning
I think it Advisable to send you the Enclosed
papers. They are either Summaries or Copies of all
the most Essential of the multitudinous documents
in my possession, and, taken together, Afford
practically a nearly Complete history of what has
been done in relation to the Jubilee Fund.

I hope you will be able to give these papers an
Early inspection and let me know what you think
should be done.

A. The first and most important question is who

were

were the real trustees of the fund at the time of
the meeting of the 27th July 1895?

At the General meeting held on the 20th October 1887
five persons were appointed trustees to carry out
the resolution adopted at this meeting to apply the
fund to the purposes of Technical Education.

These were the Collector of Tanjore and the Principal
of the Kumbakonam College, both ex officio, and
three private gentlemen.

Are these to be regarded as the legal trustees?

I think not.

It is true that the three private gentlemen
gave their written consent (See p. 3 of Enclosed)
to undertake the trust, but there is nothing on
records to show that either the Collector or the Principal

was

was authorised by Government to accept the trust.

Further, no formal Deed of Trust was ever executed,
nor did the five Trustees, either Collectively or individual-
ly, ever perform any act in relation to the Trust
which might be interpreted as a recognition of the
Commencement of their responsibilities.

In view of some of the papers in my hands, it would
appear that K. Kalyanasundaram and N. A.
Saminathaiyar - in whose names the fund is now
banked - were by some regarded as the trustees
and it is important to observe that they are apparently
so referred to in the language of the first resolution
of the meeting of the 27th July 1895. However it is
impossible to recognise these men as trustees to the
fund, in the absence of any authorisation from
the General meeting of subscribers. The Enclosed (p. 3)

Show

show that they were appointed by their colleagues
of the Jubilee Committee to purchase Government
Paper for the fund and to hold the same in their
names temporarily. The Jubilee Committee as a
body of delegates had no power to appoint trustees.

It follows from these considerations that the
only persons who can be looked upon as the
trustees to the Jubilee Fund are the members of
the original Jubilee Committee appointed at a
general meeting on the ^{2nd} ~~25th~~ February 1887 to
collect and receive subscriptions for certain
purposes. up to the meeting of the 27th July 1895.
at all events, they would not appear to have
been in any way divested of their responsibility,
and their various acts recorded in the enclosed
papers, as well as others not therein mentioned,

pledge

pledge them to this responsibility.

B. The next question for consideration is "are
the resolutions of the meeting of the 27th July 1895 valid?"

This is a matter on which, I suspect, legal opinion
may have to be taken. The answer to the question
will, presumably depend on the answers to two
other questions: (1) "was the meeting convened with the
approval or with the knowledge of the members of the
Jubilee Committee"? & (2) "was the meeting a meeting
of subscribers"? I am not in a position to throw
much light on this matter.

It is, however, clear that if the meeting was regular,
it was competent for it to take the fund out of the
hands of the Jubilee Committee and decide on
a new destination for the fund.

C. What steps should now be taken?

Sh I think it would be an act of Courtesy to
the members of the Hostel Executive Committee
of to Consult them first. They have already had
one or two meetings and have discussed proposals
as to the site of the Hostel, plans, Cost of main-
tenance &c. Moreover, with the exception of
yourself, they are Every one of them members of
the original Jubilee Committee. As its Secretary,
I would Convene a meeting of this Committee.
If, however, you are of opinion that a meeting
of the Jubilee Committee should be Convened,
it will not be possible for me to take the ini-
tiative, as Mr Govinda Row, the Sirkar
at the Tanjore Palace, was and, I suppose,
still is the Secretary and it will be for him
to issue notices for the meeting.

May

May I ask you kindly to return the Enclosures
when you no longer require them?

I am yours very truly

(sd) J. B. Bilderbeck

(True Copy)

Jubilee Committee
1877

For Collector

In a letter

From

The collector of

Tanjore

To

The Chief Secretary

to Government

Educational Department

Madras

Dated 16th July 1896.

Refon No 951 of 86.
S+B

Subject,

Copy of Mr Bilderbeck's

Demi-official letter to

Mr Stokes

My Dear Bilderbeck

Thanks very much for your D.O
and for the precis of the documents you send about
the Jubilee Fund. The latter enables me to see the
matter very much more clearly than I did before.
It is plain to me from these papers that there are
two distinct bodies in connection with this Fund -
viz the Trustees of the Fund and the Executive Com-
-mittee appointed in July 1895. Both these
are in existence and are still charged, the former
with many of the duties for which they were appointed -
and the latter only for the purpose of giving effect
to the new destination of the Fund resolved ^{on} in July.

I do not think the original Trustees are functus
officio at all. I think for example that a deed of
Trust

Trust should be executed and the money placed by them in the hands of the Collector and made subject to audit without delay as resolved in A.

I do not think that the meeting of July did anything except authorize the changing of the destination of the fund and appoint an Executive Committee to carry out that changed destination. This seems plain from the wording of the notices calling it. I think that meeting legal and sufficient for its purpose and I think that as it was called by the Chairman of the Trustees and run and recorded by their Secretary, it must be presumed that they are bound by it and cannot object to the fund being devoted to a hostel. but I do not think that this Executive Committee can legally deal with

the

the funds except those made over to them by the original Trustees or that they are in any sense Trustees of the fund. The words "in cancellation of all previous resolutions" apply to nothing except those relating to the subject which the meeting was called to discuss viz the purpose to which the fund was to be devoted. If the present holders of the funds pay it to the Executive Committee without the authorization of the original Trustees they will place themselves in a position of considerable peril.

The practical result is (1) that I think a meeting of the original Trustees should be called now to consider the question of completing the Trust deed &c and in this view I shall at once address Government for permission to take up as

Ex-officio

Ex-officio member the duties of the Chairman
and also to take possession of the Fundalli.
namely and (2) that a meeting of the Executive
Committee should be called to forward the
Scheme for the Erection of the Hostel and to
obtain funds from the original Trustees
to carry out the project.

You will see that I do not think there is
any antagonism between the two bodies.

The original Trustees have of course no voice in Controlling the details of the Hostel Scheme and can not now object to pay the money for that purpose. I think that any action which may be taken should be so in a way calculated to avoid all friction

among

Among these Gentlemen - and I shall take
an Early opportunity of Consulting them —
individually about the matter -

I shall want the Enclosures to your letter
for some time and propose to put them on
record in my office with this letter.

I think that the records relating to the original proceedings were wrongly made over to you as Secretary to the Hostel Committee and I shall ask you to return them for record with the Sirkala.

I am &c

(Signed) G. Stokes

(True Copy)

Melwipnana and Ellis
 For Collector 97

For Collector

Enclosure No 2.

by the In a letter

Sub

From

The collector of
Tanjore

To

The Chief Secretary
to Government
Educational Department
Madras.

Dated 16th July 1886.

Refon no 951 of 886
GAB

Subject.

Copy of Mr. Stokes' Semi-
Official letter to Mr.
Bilderbeck.

Refon

No. 951 of 1896
GAB

FROM

TANJORE, COLLECTOR'S OFFICE,

CAMP, Vallam. 16th July 1896.

Current No 893

G. Stokes

ESQUIRE,

COLLECTOR,

TANJORE,

To

The Chief SECRETARY TO GOVERNMENT,
Educational DEPARTMENT,
MADRAS.

SIR,

I have the honour to enclose a short history
of the Jubilee Fund raised in this district for the
purpose of Commemorating Her Majesty's Jubilee
in 1887 prepared by Mr. Bilderbeck. At a meeting
held on the 20th October 1887, it was resolved among
other things that, to carry out the intention of the
Assembly, the funds be placed in the hands of a
Committee of trustees of whom the Collector of Tanjore
should ex officio be a member. As it does

not

When given for copying _____
When copied _____ } 189 .
When examined _____
When signed _____

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT.

STATEMENT WITH DITTO.

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

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