Date taken out.	For what purpose.			Initials of Referencer.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

[Edl. / 6.]
500—24-8-97.

Educational (1898) Department.

ORDINARY MS.

G.O., No. 745

DATED 29. 11. 98

INDEXED.

10-10

[Despatch Abstract.]

Permitting, with remarks, Mr. Willock to nominate Mr. E. C. Rawson as his Deputy on the Committee of managemen of Mrs. A. V. Narasinga Row's College Vizagapatam

T 29/11/98

BACK PAPERS.

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

FURTHER PAPERS.

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

[Edl. / 5]
1,000—20-4-98.

Educational (1898) Department.

CURRENT No. 992

143/98

From

Mr W. A. Willock.
Vizianagaram.

No.

Dated 16 – 7 – 98
Received 28 – 7 – 98
Registered 30 – 7 – 98.
Enclosures
Spare copies.

Order

The Dt Judge of Vizagapatam will be permitted to act as Mr Willock's deputy on the Committee of Management of "Mrs A.V. Narasinga Rao's college".

H.T.
23.8.98.

ado 20/8/98

To Jud. Dept. for favour of c/.

Note. vide para 3 of the memo printed at p. 3 of G.O. no. 143 Ed. 3rd March 1898.

To Mr Willock &c
The Dt Judge of Vizag – ado
– D.P.I. – ado

SUBJECT.

Asking permission to nominate the District Judge, for the time-being, as his deputy on the Committee of Management of the new College established at Vizagapatam and to allow of the power passing from the Judge to his successor without any further intervention on his part.

2/

BACK PAPERS

G.O.	No.	Department.	Date.
	143 orig.	Edl.	3-3-98
	210 Mis	— " —	10-4-97
	69 "	— " —	2-2-97

FURTHER PAPERS

G.O.	No.	Department.	Date.

Educational

3/

CUR... O. 992

Vizianagarum.
16 July 1898

SECRETARIAT GOVERNMENT
28. JUL -1898
LOCAL & MUNICIPAL DEPARTMENT

To,

The Chief Secretary
to the Government of Madras.

CHIEF SECRETARY
28. JUL. 1898
GOVERNMENT OF MADRAS

Sir,

With reference to G. O. No ~~210~~ 143 dated ~~10 Ap~~ 3d March 98, Educational, I have the honor to ask permission to nominate the District Judge for the time being as my Deputy on the Committee of Management of the new College established at Vizagapatam with the help of the late Mr A. V. Narsinga-Row's bequest. This will allow of the power passing from the Judge to his successor without any further intervention on my part.

Mr Rawson is willing to act for me.

I have the honor to be
Sir,
Your most obedient servant

G
73.
1 0-4-7-98.

4

NOTE FOR THE C.S.

Please see the orders in G.O. 210 Educational, d. 10-4-97. It appears to have been doubtful whether Mr. Lillock was appointed an Executor under the will of Narasingi Rao in his private capacity, or ex. officio as Collector. If the latter then his place on the Committee of management has been taken by the present Collector. If he served in his private capacity (& it appears from para 2 of the D.P.I.'s letter d. 18/6/97 on page 2 & 4 of G.O. 140 Edn. d. 3/3/98 that that is the view which Mr. Lillock himself takes) there is no objection to his nominating Mr. Rawson as his deputy, but it is submitted that the [illegible] the delegation may be approved.

H. T. 15-8-98

I do not think a trustee can delegate his ~~power~~ trust and I think the Advocate General's opinion should be taken on the proposal.

30/8/98

To Edn. Dept. (no)

5 Edel 992

NOTE FOR THE ~~CHIEF~~ SECRETARY. 16/9

Please see the remarks of the Judicial Dept. In the will "W. A. Willock Esqr., Collector of the District of Vizagapatam, or any other gentleman holding the office of Collector of Vizagapatam" at the time of the death of the testator, was made executor of the will. The Adv. Genl. held that the Collector for the time being is one of the executors, & that only he could so act, & that in the event of Mr. Willock's death, his successor in office could act in his stead. According to this opinion it seems doubtful whether Mr. Willock can nominate Mr. Rawson (District Judge) to act for him

A. E.

Slip @ 16/9
17/9

[G./25]
1,000—16-3-98.

6

Edel.
~~LOCAL AND MUNICIPAL~~ DEPARTMENT.

C. No. 992

SUBJECT.

Nomination of the Dt. Judge on the Committee of Management of the New College at Vizagapatam.

FOR ORDERS.

H.M.

The appt. of Mr. Willock as Executor can hardly be in ~~this~~ his private ~~[illegible]~~ capacity, as the will appts. ~~[illegible]~~ "Mr. Willock Esq. Collr. of the Dt. of Vizag. or any other gentleman holding the office of Collr. of V. at the time of my demise," and the subsequent reference is to "the Collector."

A reference should be made to the Adv. Genl.

17.9.98

For orders.

It is submitted that noone contemplates that a trustee shd. delegate his trust.

It is clear from Flag XXIV (P.O. 3. March 98) that Mr. Willock was Executor in his private Capacity; one of three.

The Executors agreed to take over the Hindu College, they to form part of the Commee.

By para 3 of the agreement, each Executor-Committee man has power to nominate a deputy quà such Commee-man, not quà Executor.

At least so I read para. 3, & I think the delegation proposed may be approved

H.T. 15.9.98

7

Reference on C. No. 992. No. 2021
20.9.98

Mr. Willock's letter, together with the connected papers, is forwarded to the Govt. Solicitor for an expression of the Advocate General's opinion on the proposal therein contained.

(From orders)

a/c 19/9/98

20.9.98

[illegible]

Despd. 24.9.98.

To

The Govt. Solicitor – with encl. in original with copies of G.O. $\frac{143\ Ed}{3\text{-}3\text{-}98}$ + $\frac{643\ Pub}{12\text{-}9\text{-}92}$.

[Edl. / 5]
1,000—5-3-97.

8

Educational (1898) Department.

CURRENT No. 1357.

memo 2021 / 20-9-98

From Ernest Barclay,
Govt. Solicitor,
Madras.

Order

No. 441

Dated 8-10-98
Received 14-10-98
Registered Do.
Enclosures Three: (Current No 992: returning + two others.)
Spare copies.

SUBJECT.

Forwarding the opinion of the Advocate General about the Establishment & management of the College at Vizagapatam with ref to Memo No 2021 of 20th Sep. 1898.

BACK PAPERS.

G.O.	No.	Department.	Date.
Memo		2021 of 98	& papers

FURTHER PAPERS.

G.O.	No.	Department.	Date.

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9 Adl. CURRENT No. 1357

OPINION

The original scheme for the establishment and management of the College at Vizagapatam with the funds left for the purpose under the Will of M. R. Ry, A. V. Narasinga Rao is contained in the Memorandum of the result of a conference held at Waltair between the executors appointed by the Will and the Director of Public Instruction on January 22nd 1897. The executors proposed that the management of the institution should vest in a Committee of five members consisting of the Collector for the time being, the Inspector of Schools, and the three executors; that each Executor should have power to nominate a deputy; and that, on the death of any of the Executors, the remaining members of the Committee should nominate a suitable person to take his place, subject to a special condition in the case of Mr. Jugga Rao. The Government took exception to the constitution of the Committee of management on the ground that the Collector and the Inspector of Schools would be unable to devote much attention to the working of the institution, and that, as Mr. Willock had left Vizagapatam and could not take an active personal part in the management, the practical direction of the institution would be left in the hands of the remaining two executors. In his letter of June 16th 1897, The Director of Public Instruction, after consultation with Mr. Willock, dealt with the objections raised by the Government and pointed out that although Mr. Willock had left the district he (Mr. Willock) did not wish to sever entirely his connection with the College, and that he (Mr. Willock) intended to nominate some one (probably the District Judge) as his deputy. The scheme as modified in this letter was sanctioned by Government on March 3rd 1898.

2. Mr. Willock now asks for permission to nominate the District Judge for the time being as his deputy on the Committee of management, and suggests that this would allow of the power passing from the Judge to his successor without any further intervention on his (Mr. Willock's) part. It seems to me that Mr. Willock's proposal that by virtue of his nomination, the present District Judge and his successors in office should be so to speak, ex officio members of

the Committee of management, is inconsistent with the scheme as sanctioned by Government. The scheme empowers each executor to nominate "another gentleman" to act as his deputy. This means a personal nomination, and not a nomination of the District Judge for the time being virtute officii

3. There is no objection to Mr. Willock nominating the present District Judge personally as his Deputy and making a fresh nomination when a new Judge is appointed. This arrangement will probably meet Mr. Willock's wishes, and enable him to keep in touch with the management of the institution.

C. Arnold White
Advocate General.

Madras)
7th October 1898)

(True Copy)

Ernest Barclay
Government Solicitor.

(1898) Department

11

From

Ernest Barclay
Government Solicitor
Madras

SECRETARY TO GOVERNMENT
11 OCT. 1898
LOCAL & MUNICIPAL DEPARTMENT

To

The Secretary to Government
Educational Department
Ootacamund

No. 441

Dated 8th October 1898
Recd

Enclos 3.

Forwarded with enclosures with reference to the Memorandum of Government No. 2021 dated 20th September 1898 Educational

Ernest Barclay
Government Solicitor

G.
25 A.
500—9-8-98.

12

Educational DEPARTMENT.

C. Nos. 992 & 1357 of 98

SUBJECT.

~~FOR~~ ORDERS. No. 745 of 29.11.98

Mis

Mr. Willock will be permitted to nominate Mr. E. C. Rawson as his Deputy on the Committee of management of Mrs. A. V. Narasinga Row's College. A fresh nomination should however be made when Govt. is advised that Mr. Rawson leaves the district, as under the scheme for the management of the institution, ~~sanctioned by Govt.~~ ~~can~~ each Executor can nominate a person to act as his Deputy only by name and not by virtue of any office he may hold.

WT
29.11.98

Asst Secy

Please quote exact authority for this. If, as seems, it is an inference, the draft had better be altered.

WT
28.11.98

Note for the Secy.

It is based on para 2 of the A. G's opinion in Current No. 1357

AG
28/11/98

Despd.
W. A. Willock Esq
E. C. Rawson Esq
The D. P. I.
30.11.98

Appd
23/11/98

AG
25/11/98

~~To the Judl. Deptt for counterinitials.~~

Note for Secy. as Mr. Rawson is nominated personally & not in his capacity as District Judge, it seems unnecessary to send the order to Judicial for counterinitials. AG

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

READ AGAIN G.O., No DATED
189 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT. .. .. .. A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

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

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