

(1) Number of pages 10

(2) Date of repair 10.6.87

(3) Initials of the Referencer lva

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Public records DEPARTMENT

G.O. No.
B.P. No:

935W.

Press.
Mis.

Dated

24-3-1983

~~198~~.

S.G.M.

Not to be folded or roughly handled

24TH MARCH 1883, No. 935 W., PUBLIC WORKS.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

No. 176.

READ—the following letter from E. BARCLAY, Esq., Government Solicitor, to the Secretary to Government, Public Works Department, dated Madras, 20th March 1883, No. 158 :—

With reference to my letter of the 1st instant, No. 114, and the Order of Government thereon, No. 713 W., dated 5th instant, I shall be obliged if you will direct the return to me of the draft conveyance of the Calicut Pier for the following reasons.

2. The conveyance contains provisions that in case the Calicut Pier and Warehouse Company, Limited, should be wound up, the property comprised in the deed is to revert to the Secretary of State, and that the Company will not convey the property, or any part thereof, to any person whomsoever. These provisions were inserted by me in pursuance of the Order of Government, dated 6th December 1882, No. 3209 W., Public Works, and as suggested by the Master Attendant. I find, however, that by Act IV of 1882 such provisions have been made void, and that the Company will hold the property without being bound by these provisions. The only way to get over the difficulty is by granting the Company a long lease of the property, say for ninety-nine years, as in such deeds provisions of this kind are permissible.

3. When the draft conveyance is returned to me, perhaps you will let me have the orders of Government as to the lease.

4. Apologising for the mistake I have made, I am, &c.

No. 176.

ORDER—dated 24th March 1883, No. 935 W., Public Works.

The deed will be returned for alteration as requested.

2. The proposal to substitute a ninety-nine years' lease for an absolute conveyance is approved, but the circumstances under which the change is made should be explained to the Company.

(True Extract.)

Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Collector of Malabar.
" Government Solicitor.
" Master Attendant, Madras.
" Superintending Engineer, Fourth Circle.
" Marine Department.

Exd. A. Aubert.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of (1883) Madras.
PUBLIC WORKS.

Dated March, 24th.

Recd.

Encl.

G.O., 24th March 1883, No. 935 W.

MARCH.
Nos. 175-176.

Calicut Pier.

The Draft Conveyance of the — transfer-
ring it to the Pier Company, ordered to be
returned to the Government Solicitor for
alteration.

NO. 158.

MADRAS 20TH MARCH 1883.

FROM,

ERNEST BARCLAY,

GOVERNMENT SOLICITOR,

MADRAS.

TO,

THE SECRETARY TO GOVERNMENT,

PUBLIC WORKS DEPARTMENT.

SIR,

1. WITH REFERENCE TO MY LETTER OF THE 1ST INSTANT
NO. 114 AND THE ORDER OF GOVERNMENT THEREON NO. 713 W DATED 5TH
INSTANT I SHALL BE OBLIGED IF YOU WILL DIRECT THE RETURN TO
ME OF THE DRAFT CONVEYANCE OF THE CALICUT PIER FOR THE FOLLOW-
ING REASONS.

2. THE CONVEYANCE CONTAINS PROVISIONS THAT IN CASE THE
CALICUT PIER AND WAREHOUSE COULD BE BOUND UP THE PRO-
PERTY COMPRISED IN THE DEED IS TO REVERT TO THE SECRETARY OF
STATE, AND THAT THE COMPANY WILL NOT CONVEY THE PROPERTY OR
ANY PART THEREOF TO ANY PERSON WHOMSOEVER. THESE PROVISIONS
WERE INSERTED BY ME IN PURSUANCE OF THE ORDER OF GOVERNMENT

DATED 6TH DECEMBER 1882 NO. 3209 W PUBLIC WORKS AND AS SUGGEST
ED BY THE MASTER ATTENDANT. I FIND HOWEVER THAT BY ACT IV OF
1882 SUCH PROVISIONS HAVE BEEN MADE VOID AND THAT THE COMPANY
WILL HOLD THE PROPERTY WITHOUT BEING BOUND BY THESE PROVISIONS
THE ONLY WAY TO GET OVER THE DIFFICULTY IS BY GRANTING THE CO-
PANY A LONG LEASE OF THE PROPERTY SAY FOR 99 YEARS AS IN SUCH

DEEDS

DEEDS PROVISIONS OF THIS KIND ARE PERMISSIBLE .

3. WHEN THE DRAFT CONVEYANCE IS RETURNED TO ME
PERHAPS YOU WILL LET ME HAVE THE ORDERS OF GOVERNMENT AS
TO THE LEASE .

4. APOLOGISING FOR THE MISTAKE I HAVE MADE .

I AM, SIR,

YOUR OBEIENT SERVANT.

James A. Barclay

GOVERNMENT SOLICITOR.

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M.C. No. 25

- 452. h. 18. 2. 12
- " 2202. h. 21. 8. 12
- " 3209. h. 6. 17. 12
- " 288. C. 29. 1. 83
- " 340. C. 2. 2. 83
- " 344. C. 2. 2. 83
- " 493. h. 14. 2. 83
- " 538. h. 20. 2. 83
- " 718. h. 5. 3. 83

Read 11/3/83

No 935 W

B. P. R.
clerk

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the 24th March/83

Read the following

Letter from the Govt. Solicitor H. C. No. 158 of 20th March/83

935
W

The deed will
be returned for ab-
teration as requested.

The proposal to
substitute a 99 years
lease for an absolute conveyance
is approved but the
circumstances under
which the change is
made should be
explained to the
Company.

Sd/- R. H. S.

resd Dec^{ad} 24/3

- The Collector of Malabar 7
- " Govt. Solicitor 3
- " Master Attendant Madras 6
- " S. E. 4. Circle 9
- " Marine Dept. 7

935
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25.
Govt. of (1883) Madras.

PUBLIC WORKS.

Dated

Recd.

Encl.

G. O. 24 Mar. 1883, No. 935. H.

Nos. 175-176

Vakunt Pir

The draft conveyance
of the — ~~to the~~ transferring
it to the Pir Co, ordered
to be returned to the
Govt. Solicitor for
alteration.

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H

Entered in the Receipt Book