

MADRAS RECORD OFFICE.

Government of Madras.

Public

DEPARTMENT

G.O. No. *52*

Press
~~Mis.~~

Dated

14.11.1957

15/11/57

Not to be folded or roughly handled

N. 98.

Tanjore

Commissioner's Office

7th January 1854

From M. Forbes Esq

Commissioner of Tanjore

To J. Pycroft Esq

Chief Secretary to Government

Fort St. George.

Sir,

Para 1

Pol. Dept.

I have noticed that in the 4th para-
graph of the Extract from the Minutes of
Consultation dated the 31st ultimo 1845,
my attention is directed to the remarks
in the opinion of the Advocate General of
Bengal, on the claims to the Choultries and
Villages, gardens & lands, set up by the
Aroo Sahib and others.

2.

I have considered these remarks,
and as my ignorance of Law probably
prevents,

prevents me from fully understanding them. I have the honor to request that I may receive instruction from the Company's Solicitor, to whom a copy of this letter will be sent.

3. In the 4th paragraph of that part of his opinion which refers to the claims of the Aroo Sahib, the Advocate General says that he does not think that the Rajah could properly alienate any of the lands that belonged to the State in 1799, so as to bind the East India Company, their Successors, but in the next sentence he adds that he thinks that any alienations made by Serfojee must be taken to have been condoned by the British Government. These two opinions I can not entirely reconcile, and my difficulty is increased by

by Mr. Ritchie in the next paragraph saying that any alienations made by Serwajee are not binding on the Government. It is not clear to me why, *ceteris paribus*, alienations made by Serfojee, stand on a different footing from those made by Serwajee, or by what act, or concession, the British Government is considered to have condoned Serfojee's alienations. As Serfojee was not married until after the treaty of 1799, it is evident that his grants to Sholea bhojee, the present Aroo Sahib, must all have been made subsequent to that period.

4. Further, in the next paragraph of his opinion the Advocate General says that the facts stated by me, in paragraph 15. my letter of the 25th of November last tend to show that many of the alienations

were not bona fide, and in the next
clause of the sentence it is said
that if these facts are disproved,
the Awo Sahib's title will be displa:
ced.

5. The facts were adduced by me
to displace the Awo Sahib's title,
and I do not at present understand
how their disproof, is to have the effect
which I supposed would arise from
their proof.

6. It is possible that I have been
misled by a clerical error in the
Copy of the opinion forwarded to
me as regards the second point I
have referred to, but this I cannot
assume in considering a legal paper
as regards the first point, there ap:
pears no mistake in the copy, but
perhaps

*the copy
is the
one
which
was
forwarded
to me
- the
error
is in
the
original*

perhaps the Advocate General was
not aware that Serfojee's reign com:
menced with the treaty of 1799, and
that all his alienations were subse:
quent to that date.

Tanjore.
7th January 1857.

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

Ernest
Commissioner

To
The Chief Secretary
to Government.
Fort St. George.

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 23-6-20
 1804 of 1834 (was 1835)

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 1804 of 1834 (was 1835)

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 1804 of 1834 (was 1835)

On the above: Commission by Act of 14th Nov 1857 - 1857-1858
 1857-1858

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