M.R. O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 324- Press Mis.

Dated 15-8-62 19

Not to be folded or roughly handled

Proceedings of the Madras Government, Political Department,
15th August 1862.

No. 34. Read the following letter from CLEMENT DALE, Esq., Receiver of the Carnatic Property; to the Honorable THOMAS PYCROFT, Chief Secretary to Government, Fort Saint George, dated 5th August 1862, No. 148.

Paragraph 1. I do myself the honor of reporting for the information of the Honorable the Governor in Council, that amongst the property belonging to His late Highness the Nabob of the Carnatic is a house and large compound with a number of Native Huts situated in the Mount Road.

2. The house is known by the name of "the Ameer Baugh;" it is at present rented by Government, and is used as the Court of the Sudder and Foujdaree Adálat.

3. The following is a short epitome of the title under which the late and former Nabobs held the premises.

(*a.*)—On the 17th of July 1802, by the form of (so called) Grant then in use, No. 768, Revenue Department, the Governor in Council leased to Messrs. Francis Latour and Co., their Heirs, Executors, Administrators or Assigns, Cawnies 13 : 22 : 1553½ for the term of 99 years, at a yearly rent of Pagodas 20 : 41 : 13, payable on the 7th of July in every year if the same were lawfully demanded; subject to the payment of 30 Pagodas, at the end of every 30 years; and to the Covenants in the lease contained; with a right of renewal at the expiration of the term for a further period of 99 years on payment of a fine of 100 Pagodas.

(*b.*)—On the 18th of March 1806, by a similar instrument, No. 1,158, Cawnies 3 : 21 : 188 were leased to Messrs. Francis Latour and Co., for 99 years at a rent of Pagodas 5 : 36 : 61; with similar provisions to those mentioned in the instrument, No. 768.

(*c.*)—On the 23rd of June 1806, Messrs. Francis Latour and Co., by endorsements on those 2 Leases conveyed both those premises to His Highness the Nabob Azeem-ul-Dowlah "*for ever.*" Those 2 conveyances were duly registered on the 1st of July 1806 in the Transfer Book, Volume 1, Folio 35, as Nos. 652 and 653.

4. The 2 plots adjoined each other, they contained together Cawnies 17 : 19 : 1,741½; and they were enjoyed by the Nabob Azeem-ul-Dowlah and his successors, without paying any kist or rent in respect of the same.

5. On the late Nabob ascending the Musnud, after attaining his majority, Certificates were generally granted by the Collectors in whose Districts the Nabob held land: and on the 26th July 1842, the Collector of Madras issued a Certificate in respect of "the Ameer Baugh" No. 3,216, in which the ground is stated to measure Cawnies 17 : 4 : 1,315½; how the discrepancy between the 2 measurements arose, I am unable to explain.

6. On the 10th of November 1853, the Nabob conveyed the premises to Goolam Mahomed Saib, in fee; ostensibly in consideration of Rupees 15,000 stated to be paid by Goolam Mahomed; that consideration was however merely nominal. Goolam Mahomed was a son of the Dewan, and the premises were conveyed to him for the purpose of his raising money for the use of the Nabob, because parties would not deal direct with His Highness consequent on his not being subject to the jurisdiction of the Supreme Court. On the 12th January 1855, Goolam Mahomed conveyed the premises to Mr. William Hugh Ross in fee for securing the re-payment of Rupees 17,500 advanced by him; Mr. William Hugh Ross died in 1856, and his eldest son and heir at law and Administrator has conveyed the premises to me; having preferred a claim under Act No. 30 of 1858 and been paid what was due on the Mortgage.

7. Notwithstanding the conveyance on the 10th of November 1853 to Goolam Mahomed, as mentioned in the previous paragraph, the late Nabob by his Dewan on the 12th of July 1855, granted to the Agra and United Service Bank a lease of those premises for the purpose of securing the re-payment of Rupees 15,263-8 advanced to His Highness; the Bank however preferred a claim under Act No. 30 of 1858, have been paid the balance due to them, and have surrendered the Lease to me.

8. I am now therefore prepared to offer those premises for sale.

Proceedings of the Madras Government, Political Department, 15th August 1862.

9. I am, however, of opinion, that the property will realise a better price by being offered for sale in 2 lots than if put up entire, and with the view of effecting a sale in that manner, I have had the premises surveyed, and do myself the honor of enclosing 2 plans of the premises taken by the Surveyor employed by me, as also 2 descriptions (marked A and B) of the premises as I propose to divide them.

Proceedings of Government 5th August 1859, No. 1,053, and 21st September 1859, No. 1,271, Revenue Department.

10. And with reference to the Proceedings of Government noted in the margin; I likewise do myself the honor of soliciting that 2 "title deeds" may be issued to me for the land, &c., comprised in those descriptions; and that in issuing such "title deeds" the description of the premises may be introduced therein in accordance with the papers marked A and B, so far as the forms in use will admit.

11. In making this application I submit for the consideration of His Excellency the Governor in Council, that although the grants to the Messrs. Latour were for terms of years, yet that looking at the facts, that such terms were for 99 years and renewable at the end of that term, for a similar period, and on similar terms, such grant was virtually for ever, subject to the payment of the rent and performance of Covenants; and further that by the acts of Government in not demanding rent for so long a period, and in allowing the conveyances in fee simple from Messrs. Latour to the Nabob to be registered without objection, and from lengthened acquiescence in such conveyances, the Nabobs must be considered to have acquired a freehold title in the premises.

12. If wished by Government a plan may be annexed to each Certificate; if however that course is not adopted, I have the honor to request the plans may be returned to me with the Certificates, as I shall require them to shew to parties enquiring for particulars.

No. 35. ORDER THEREON, 15th August 1862, No. 324.

The Government authorize the House and Ground referred to, known as the "Ameer Baugh," being offered for sale in two lots as proposed by the Receiver of the Carnatic Property, and direct that two Title Deeds be issued for the same as requested by Mr. Dale in paragraph 10 of his letter, under the provisions contained in the Proceedings in the Revenue Department, dated 5th August and 21st September 1859, Nos. 1,053 and 1,271. The Title Deeds will, as usual, be granted in the Revenue Department.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

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Political Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the Receiver of the Carnatic Property-

Dated 5th August 1862 No 148

Order thereon 15th Augt 62 No 324.

The Govt. authorise the House & ground referred to, known as the "Ameer Baugh", being offered for sale in two lots as proposed by the Receiver of the Carnatic Property, & direct that two Title Deeds be issued for the same as requested by Mr. Dale in para 10 of his letter, under the provisions contained in the Pro: in the Revenue Deptt. dated 5 August & 21st September 1859 Nos 1053 & 1271- The Title Deeds will, as usual, be granted in the Revenue Department-

To Revenue Deptt (with Plans) --- Receiver of the Carnatic Property

Desp 16th

Coll. 1862. Department.

No. 324.

PROCEEDINGS OF GOVERNMENT.

1063 R/A

5-8-57

127 P/A

21-9-57

Dated 15 Aug.st 62

File 393

Authorizing the sale in two lots of the House and ground known as the "Ameer Bough", and directing the issue of 2 title deeds as requested by the Receiver of the Carnatic Property.

34 & 35

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C8: Aug.st