

Public (1897) Department.

ORDINARY MS.

G.O., No. 383

Dated 5-4-97

[Despatch Abstract.]

Come to the D. A. G. a letter from the Govt. Solr
expressing inability with the information fur-
nished to prepare a rent ^{proposed} paid for the loan
of Rs 6000 for the completion of armoury &c for the
Nalguri Solr. Ref. Corps & pointing out the deara-
bility of the Corps paying for the work.

BACK PAPERS.

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

FURTHER PAPERS.

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

Pub.
29.
2,000

Public (1897) Department.

CURRENT No. 1192

From The Government Printer
Madras.

To: The Governor
Hon: Mr. Bliss. C. I. C.

Order

His No 383 of 5-4-97

The Govt. Secy 14/97

No. 178

Letter will be coured:

to the Dy: Adjt: Genl
with ref: to his Enclt:

at: O.M.W. 3609 of 4/3/97.

for the information of
the Lieut: Genl: Comd
the Forces.

Dated 23

Received 23

Registered 24

Enclosures

Spare copies

SUBJECT.

Stating that he can
prepare the mortgage
deed for a loan of Rs. 1,000
to the officer Command Nilgiri
Rifle Vol 12. for Completing
armoury Stores of the Corp.
only at the expense of the
Nilgiri Vol 12 Rifle.

J.O.B.
25/3/97.

By Adj: Genl
Govt Secy -

12/3/97

10/4/97

BACK PAPERS.

G.O.	No.	Department.	Date.
<i>W.</i>	<i>288</i>	<i>Pub</i>	<i>18-3-97</i>
	<i>1268</i>		<i>1-12-96</i>
<i>Law Officer's process</i>			

FURTHER PAPERS.

G.O.	No.	Department.	Date.

1192 Pub

No. 178

Madras, 23rd March 1897.

From,

Ernest Barclay,
Government Solicitor,
M a d r a s.



To,

The Chief Secretary to Government
M a d r a s.

Sir,

1. I beg to acknowledge receipt of the Order of Government -
A Public Department No 288 dated 18th instant.
2. From the letter from the Government of India, Military De-
D -partment No 388 F, dated 5th ultimo, to the Lt. General Commanding the
Forces, Madras, I gather that the Government of India has sanctioned -
the grant of a loan of Rs 6000 to the Officer Commanding, Nilgiri -
Rifle Volunteers, for the purpose of completing an armoury, stores &c.
of the corps, that the loan is to bear interest at 4 per cent per -
annum and will be repayable by six annual instalments of Rs 1000 each
plus interest on the balance outstanding, such repayments to be made
from the annual capitulation grants of the corps as they become due and
that the Government of India will retain a lien on the buildings to -
the extent of the sum outstanding until the whole amount has been re-
covered and that, to this end, the buildings should be insured and -
mortgaged to Government.
3. In his letter of 23rd ultimo to the Assistant Adjutant -
General Southern District, the Commandant Nilgiri Volunteer Rifles, 
states that he agrees to the terms of the loan and requests that I,

if without expense to the corps except for stamp, be requested to draw up the necessary deeds. The Commandant, himself a Solicitor, does not explain why I am to do, without expense, a Solicitors work for the Nilgiri Volunteer Rifles. Mr. Cowdell must be perfectly well aware that the costs of a mortgage are always paid by the mortgagor and not by the mortgagee.

4. But, a far more important point is that it is not explained by the Commandant Nilgiri Volunteers, the right he has to mortgage the buildings &c., nominally belonging to the Corps, to Government or to any one else, nor has he forwarded any title deeds of the land on which the buildings stand so as to show in whom that land is vested nor any description of the land or buildings. Further, it is not explained who is to be liable for the sum advanced and the interest thereon or for the insurance on the buildings, whether the Commandant or who and, if the Commandant, whether he is prepared to be personally liable for the debt and interest or only as Commandant and, if the latter, how he proposes to bind his successor in Office, or, should the Corps, for any reason, cease to exist, who is to be responsible to Government for the money. Further the Commandant stipulates that the deeds are to be prepared without expense to the corps except for stamp but he has overlooked the fact that there will be registration fees as well in respect of the mortgage.

5. With the information before me I am quite unable to prepare the required mortgage and I would submit that if I am to do so at all it should be at the expense of the Nilgiri Volunteer Rifles or, otherwise, ^{but} Mr Cowdell should prepare the deed and that I approve of it on

behalf

behalf of Government. It is hardly desirable that, in preparing the mortgage, I should act both for Government and the Corps.

I have the honor to be,

Sir,

Your obedient servant,

Ernest Barclay

Government Solicitor.

When given for copying 5/4/97
When copied
When examined 9/4/97
When signed 189

READ AGAIN G.O. No. DATED
189

CURRENT No.

ENCLOSURE TO O. 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.
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