

(1) Number of pages 22
(2) Date of repair 27-11-40
(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Police **DEPARTMENT.**

G.O. No. 1035

Press
Mis.

Dated 13 - 8 - 1898.

Not to be folded or roughly handled

Public (1898) Department.

ORDINARY MS.

G.O., No. 1035

Dated 13-8-98

INDEXED.

[Despatch Abstract.]

Placing the services of
port. solicitor at the disposal of the
Lt. Genl. Commg the forces, for the
purpose of preparing the required
working app. deed of the armoury of the
Militia Volunteer Rifles at Offa in mid.

BACK PAPERS.

Public (1898) Department.

CURRENT No.

From

The D.A.G.

Order

No. $\frac{8}{1110117}$

Dated 22 June 98

Received 23. " "

Registered 3.

Spare copies. -

SUBJECT.

Forwarding copies of correspondence and requesting that the Govt. Solicitor may be instructed to prepare the required mortgage deed of the Armonya of the Gilgiri Volunteer Rifles at Bolacamma to Govt.

FURTHER PAPERS.

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

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Go	2653/981	Govt. Solicitor.					
10	195-6						
	21 9-98						

BACK PAPERS.

G.O.	No.	Department.	Date.
	2110	7.2.98	
	Paper sent to K. S. S. S. S.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Special and Miscellaneous.

It is requested that the above heading, with number and date of this communication, may be quoted in any subsequent correspondence on the subject.

No. 391-M. W.

GOVERNMENT OF INDIA,
MILITARY DEPARTMENT.

Fort William, the 8th February 1898.

To
THE LIEUTENANT-GENERAL COMMANDING THE FORCES,
MADRAS.

SIR,
In continuation of Military Department letter No. 3068-F, dated the 17th November 1897, sanctioning the payment to the Nilgiri Volunteer Rifles of a loan of Rs. 6,000, subject to any conditions that may be decided on hereafter on the subject of the mortgage to the State of the armoury, &c., of the corps, I am directed to say that, when the exercise yard attached to the European prison at Ootacamund, including the enclosure wall, was transferred free of charge to the Nilgiri Volunteer Rifles to be adapted for use as a drill hall, armoury, &c., the intention of the Government of India was that it should be handed over to the corps as a gift, (subject only to the condition that they should not be able to dispose of the site), with a view to their executing all repairs at their own expense, and carrying out any additions or alterations they might find necessary.

2. I am to say that the buildings should now be insured as a whole and mortgaged to the State as security for the repayment of the loan already granted. Although the corps, not being incorporated in a legal sense, cannot have, in view of the law, or for the purpose of legal documents, an actual proprietary right in the buildings, the conditions of their administration of the property (including the mortgage to Government) can be set out in the orders which the Government will issue relative to the disposition of the property, and will probably be sufficient to ensure to Government sufficient security for the recovery of the advance. The details can be settled between the Lieutenant-General Commanding the Forces, Madras, the Solicitor to Government, and the Controller of Military Accounts, Madras Command.

I have, &c.,
(Signed) J. G. DAY, Major, R.E.,
for Secretary to the Government of India.

Copy forwarded to—
The Finance Department, for information.
The Secretary to the Government of Madras, Public Works Department, in continuation of Military Department No. 73-G, dated the 25th March 1897, for information.
The Controller of Military Accounts, Madras Command, for information.

By order,
(Signed) J. G. DAY, Major, R.E.,
Asst. Secy. to the Govt. of India.

dated 7 June 1898

from the Secy. to the Govt. of India, Mil. Dept.
to the Lieut. Genl. Comdg. the Forces, Madras

I am directed to acknowledge the receipt of your Excellency's letter No. B/M-5939 dated the 13th April 1898, enquiring with reference to the mortgage to the State of the armoury of the Nilgiri Volunteer Rifles at Ootacamund as security for the repayment of the loan granted to the Corps, when the order of the Government of India referred to in paragraph 2 of Military Dept. letter No. 391 M.M. dated 8 February 1898, may be expected.

2 In reply I am to say that the intention was that the Lieut. General Commanding should, in consultation with the Solicitor to Government and the Controller of Military Accounts, frame a mortgage and see that the buildings are insured as a whole. The Government of India would then on the matter being submitted to them, set out

Copy of a letter No. B/W 5939

dated 13th April 1898

from H. E. the Lieut. Genl. Comd. the Forces Madras
to the Secy. to the Govt. of India Mil. Dept.

With reference to para 2 of Government
of India Military Department letter No. 391.M.M.
of the 8th February 1898, I have the honor to request
the favor of your informing me when I may expect
the orders of the Government of India referred to
therein.

(True copy)

1 May. Captain
D. A. S. Madras led.
D.R.

Memorandum No. 2012.

Ootacamund,

22nd June 1893

No. B

W. 10000

From

The DEPUTY ADJUTANT GENERAL, MADRAS COMMAND,

To

The Chief Secretary -

to the Government of Madras.

SIR,

CHIEF SECRETARY
23 JUN. 1893
GOVERNMENT OF MADRAS

In continuation of my letter No. B/W 3034 of the 24th February last, I have the honor to enclose the correspondence noted in the margin and to request that you will be so good as to instruct the Government Solicitor to prepare the required mortgage deed of the armory, &c of the Nilgiri Volunteer Rifles at Ootacamund.

I have the honor to be,
Sir

Your obedient servant

L. P. Miller Colonel

Asst. Dir. M. General

For Dy. Adjutant General

DRR

ENCLOSURES.

K. G. 416
9.3.98 P

Copy of Ind. of India Mily. Dyptt. letter No. 361 NW
of the 13th February 1893.
" — Letter No. B/W 5439 of the 13th April 1898 from
H. S. The General, Govt. of India, Madras,
to the Secy to the Govt. of India Mily. Dyptt.
" — Copy of India letter No. 1712 of the 13th June 1893.

Encls: 1. 3 & 4
2. 1. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

R. 500
13 6-1-98.

(1) HIS EXCELLENCY THE GOVERNOR.

(2) THE HON'BLE SIR HENRY BLISS, K.C.I.E.

~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Nilgiri Volunteer Rifles

FOR ORDERS.

With the foregoing current the Deputy Adjutant Genl forwards copy of correspondence between the L.G.C. & Govt. of India on the subject of the mortgage to the State of the armoury &c of the Nilgiri Volunteer Rifles at Ootacamund, and requests that instructions may be issued for the preparation of the required mortgage deed by the Govt. Solicitor.

2. Attention is, however, solicited to notes and orders in G.O. No.

M 1012 dt 30.7.97. In that G.O., Govt suggested to the L.G.C. that the instructions of the Govt. of India should be sought as regards the legal formalities to be observed in drawing up the mortgage deed.

x G.O. 416 d/ 9.3.98

3

with reference to the points noticed in the G.O. and observed - "With regard to the request of the Commandant supported by H.E. the L.G.C. that the Govt. Solicitor should be instructed to prepare free of charge the necessary deeds, H.E. the G. in C. regrets that he is unable to sanction the proposal which would impose on the Govt. Solicitor work which does not form part of his legitimate duties. There is no objection to the preparation of the deeds, if required, by the Govt. Solicitor, but the cost of this should, in the opinion of Govt, be borne by ~~the Govt~~ ^{the Corps}. No reason has been shown for departing from this view: the D.A.G. does not even refer to this matter in the present current nor does it appear that the L.G.C. has sought and obtained India's instructions on the points raised in G.O. No. 1012 d/ 30.7.97 already referred to. All that is now forwarded is India's letter in reply to L.G.C. explaining the intention of its letter No. 391 M.W.

d/ 8.2.98 - which last has already been commd. to this Govt. by the L.G.C. In India's letter No. 1712 B dated 7.6.98 forming an enclosure to the present current it is explained that the intention was that the Lt Genl. Commd. should, in consultation with the Solr. to Govt and the Controller of Military Accounts, frame a mortgage and see that the buildings are insured as a whole. But this direction of the Govt. of India does not impose on the Govt. Solicitor obligation to do work without remuneration, as the L.G.C. possibly thinks ^{it does}. Besides, the points on which information is necessary remain now just as they were before: the legal formalities required by the Govt. of India are not known: and the Govt. Solr. is in no better position to prepare the deed, - let alone the question of remuneration. Under these

circumstances it is submitted that the attention of the L.C. may be invited to G.O. No 1012 of 30.7.97 and the points noticed supra.

It is submitted that the case remains substantially as it was before. The letter of the Govt of India to the L.C.C. does not seem to throw any light on the essential points.

- (1) whether any mortgage is possible, &
 - (2) ~~also~~ if it is, who is to mortgage the buildings.
- at
28/7/98.

The arrangement which India contemplates seems to be to have one who would and who will the L.V.R. (81) to require them to insure the buildings they may erect there. (3) to acknowledge the claim of Govt. In the case of the buildings erected. The whole of these points can be set out properly to the Govt. The interests of Govt. are clearly set forth in simple words relative to the disposition of the

in the case of the L.V.R. (81) to require them to insure the buildings they may erect there.

Yes - But suppose the Govt. takes objection - However, we may have that done.
B.S.
6/8/98

K

property which Govt. are in the subject. It has been contemplated to be a mortgage deed executed by Govt. of the one part & the L.V.R. of the second part. This seems to me to be the Indian intention.

29.7.98.

I cannot quite find the Govt. of India in the letter No 1712 of 13.7.98, dated 7th June 1898 to the Lieut. Govt. Commanding, saying that a mortgage is to be granted. I think therefore my reply to the Lieut. Govt's letter, C.O. No 2012, 22nd June 1898, should be to place the Govt. Solicitor's services at the disposal of the Lieut. Govt. Commanding, for the purpose of preparing the mortgage. I do not think that matter is one in which we need concern ourselves further than this. The work would seem by the Govt. to be considered to be Govt. work. As such, it should be done by the Govt. Solicitor free of charge.

4.5.98

Papers to be read in Proceedings:—

Again G.O., dated	189 , No.
Again G.O., dated	189 , No.
Current No. 2012 of 1898, dated	24-6-98, from D.H. Madras Commission
" " " 189 , "	" "
" " " 189 , "	" "

C.S.

ORDER. No 1035, of 13th August 1898.
his.

The services of the Govt. Solicitor will be placed at the disposal of the Lt. Gov. commanding the forces, Madras, for the purpose of preparing the most perfect deed required.

(from outlay)

a/c
11/8/98

[Signature]

Done D.H. Madras Commission (C) of Govt.
Govt. Solicitor (A) of Govt. and Madras.

10-8-98

When given for copying 15/6
 When copied 3/16/59
 When examined 189
 When signed _____

By AGAIN G.O., No. _____, DATED
 189 _____

r No.

ENCLOSURES TO O. No

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENTS WITH DETTO.

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.

28/6/57

12-3-64

17-5-18

2-10-18

6-8-19

30.3.22

20-9-29

2-4-2

317

31-1-390

18-1-405

9.5.38