Revenue Department

Minutes & Consultation

13th July 1858

Back no 33 + 34

Order no 950 & 712 13th July 1858.

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் : G. கோபிநாதன்

செப்பனிடுவதற்காக எடுத்தக்- கொடுக்கப்பட்ட நாள். 08/08 11/08

சரிபார்க்கும் முதல் முறிபாள கையொப்பம் 3/11/08

சரிபார்க்கும் 2ம் முறிபாள கையொப்பம் 12/11/08

ஆராய்ச்சி உதவியாளர் கையொப்பம் 10.11.08

Fort Saint George, Revenue Consultation of 13th July 1858.

No. 33. Read the following Extract from the Minutes of Consultation in the Political Department, under date the 26th June 1858, No. 400.

Read the following letter from J. R. BOYSON, Esq., Honorable Company's Solicitor; to the Chief Secretary to Government, Fort Saint George; dated 18th June 1858, No. 332.

SIR,

Extract Minutes Consultation, dated 14th May 1858, No. 311, Political Department.

1. I have the honor to acknowledge the Extract from Minutes of Consultation, noted in the margin, with its enclosures.

2. I have since communicated with the Collector of Madras and the Government Agent at Chepauk, and obtained from them all such further information relative to the point in question as seemed to me necessary.

3. I have also submitted the papers for the consideration of the Advocate General and have conferred with him thereon, and I now forward a copy of his opinion.

4. I will advise the Collector of Madras from time to time as to the levying of quit rent on property formerly belonging to the late Nabob and especially exempted from the payment of quit rent so long only as it was held by the Nabob or any of his relations.

5. I return the enclosures above noted.

COPY OPINION.

I cannot see that any thing is required to be done, in the matter of these grants at present, or for the next fifteen years. Then it will be for the Government of the day to consider whether it will treat these grants as mere building leases and take advantage of the strict letter of the grants, whether it will enforce payment of the sum of one hundred Pagodas in each case, or relinquish this fine as Government did in 1834, by the 30 Pagodas fine payable every 30 years, and consider the interests of the grantees and their heirs or purchasers under them as perpetual subject to the payment of the quit rent reserved in each case. In the case of those grants where, in favor of the Nabob and members of his family, Government have directed quit rent not to be levied on the lands whilst in the possession of the Nabob or members of his family; there are several parcels of land where this exemption at the present moment no longer applies, possession having passed away from the family of the Nabob. In these cases the Collector might be directed to levy the usual quit rent, and issue notices accordingly, but as there are Suits now pending in the Supreme Court wherein ladies of the Nabob's family claim the ownership of some of these parcels, it may be as well to take no step till after next term, when most of these cases will probably be decided.

(Signed) THOMAS SYDNEY SMYTH,
Advocate General.

(True Copies.)

(Signed) J. R. BOYSON,
Honorable Company's Solicitor.

Ordered to be communicated to the Revenue Department and the Government Agent at Chepauk, with reference to Extract Minutes of Consultation of the 14th Ultimo, No. 311.

(True Extract and Copies.)

(Signed) T. PYCROFT, *Chief Secretary.*

No. 34. ORDER THEREON, No. 950; dated 12th July 1858.

Ordered to be communicated to the Board of Revenue with reference to their Proceedings dated 29th March 1858, No. 1115.

(Signed) T. PYCROFT,
Chief Secretary.

Rec'd Sept 22

Ext from Pol Cons

Read Sept 22 Remitted

No 1670

POLITICAL DEPARTMENT.

No. 400.

Extract from the Minutes of Consultation under date the 26th June 1858.

Read the following letter from J. R. BOYSON, Esq., Honorable Company's Solicitor; to the Chief Secretary to Government, Fort St. George, dated 18th June 1858, No. 332.

SIR,

Extract Minutes Consultation, dated 14th May 1858, No. 311, Political Department.

1. I have the honor to acknowledge the Extract from Minutes of Consultation, noted in the margin, with its enclosures.

2. I have since communicated with the Collector of Madras and the Government Agent at Chepauk, and obtained from them all such further information relative to the point in question as seemed to me necessary.

3. I have also submitted the papers for the consideration of the Advocate General and have conferred with him thereon, and I now forward a copy of his opinion.

4. I will advise the Collector of Madras from time to time as to the levying of Quit Rent on property formerly belonging to the late Nabob and especially exempted from the payment of Quit Rent so long only as it was held by the Nabob or any of his relations.

5. I return the enclosures above noted.

COPY OPINION.

I cannot see that anything is required to be done in the matter of these Grants at present, or for the next fifteen years. Then it will be for the Government of the day to consider whether it will treat these Grants as mere Building Leases and take advantage of the strict letter of the Grants, whether it will enforce payment of the sum of one hundred Pogodas in each case, or relinquish this Fine as Government did in 1834, by the 30 Pogadas Fine payable every 30 years, and consider the interests of the Grantees and their heirs or purchasers under them as perpetual subject to the payment of the Quit Rent reserved in each case. In the case of those Grants where, in favor of the Nabob and Members of his Family, Government have directed Quit Rent not to be levied on the lands whilst in the possession of the Nabob or Members of his Family; there are several Parcels of Land where this exemption at the present moment no longer applies, possession having passed away from the Family of the Nabob. In these cases the Collector might be directed to levy the usual Quit Rent, and issue Notices accordingly, but as there are Suits now pending in the Supreme Court wherein Ladies of the Nabob's Family claim the Ownership of ~~sum~~ of these Parcels, it may be as well to take no step till after next Term, when most of these cases will probably be decided.

(Signed) THOMAS SYDNEY SMYTH,
Advocate General.

(True Copies.)

(Signed) J. R. BOYSON,
Honorable Company's Solicitor.

Ordered to be communicated to the Revenue Department and the Government Agent at Chepauk, with reference to Extract Minutes of Consultation of the 14th Ultimo, No. 311.

(True Extract and Copies.)

(Signed) [illegible]
Chief Secretary.

To the Revenue Department. Dispd 23/7
" Government Agent at Chepauk.
" Collector of Madras.

Exd. J. A. Wilson.

Dto Cons 27 April 58 No 8
12
14-6-97
7-12-97
5-7-95

7
256

No 33 & 34.

Revenue 1858 Dept.
Dto Cons 13th July.

No 1070.

Extract from the Minutes of Govt in the Political Department

Dated 26th June

Recd 5th July 1858
No 950. 12th July 1858.

Communicating a Letter from the Hon. Company's Solicitor together with the enclosures stating that he will advise the Govt of Madras from time to time as to the levying of Dusturi Cash on Properties belonging to the late Nabob especially exempted from the payment of Dusturi &c. and it was held by the Nabob or any of his relations

With an order

No 950

Ordered to be communicated to the Board of Revenue with reference to their Proceedings dated 29th March 1858. No 1115.

Fort Saint George
12th July 1858

3 Copies to the Bd of Rev. Dead 12 Jy