M.R.O. 14—10,000—21-4-27

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 450 Press ~~Mis.~~

37-38

Dated 23 - 3 - 1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of March 1860.

No. 37. Read the following Proceedings of the Board of Revenue, dated 7th March 1860, No. 1156.

Read the following letter:

From A. PURVIS, Esq., Collector of the Godavery District, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort St. George, No. 22.

I have the honor to report that I have received an application from the Reverend A. Long, an American gentleman and a Missionary sent out by the Foreign Missionary Society of the Evangelical Lutheran Church in the United States of America, now stationed at Sámalkotta, to be permitted to occupy 10 c. 5 g. 2,128 s. ft. of ground on which to construct Missionary buildings. The land belongs to Government, is a part of a Raiyats' holding and is assessed at Rupees 11-10-0. It is in the village of Ragampéta in the táluq of Peddápúr. It is not cultivated and the Raiyat in possession is willing to give it up.

2. The Rules of the 5th August last apply only to land required by Europeans and Natives of this country. It is not stated that the former must be British subjects. Forms of Permission Certificates to be granted for lands required by Foreigners were received with the Circular from the Registrar of Government Grants, dated the 26th February 1855, and I have the honor to request instructions whether in the case in question the Rules in force, before the publication of the late Orders, are to be followed, or whether, if the new Rules are considered to apply to all Europeans without reference to their nationality, they may not be also declared applicable to Americans.

In the above letter the Collector of Rajahmundry reports that an American gentleman has applied for permission to occupy a plot of ground measuring a little more than 10 cawnies, on which he proposes to erect Missionary buildings. The Collector wishes to know whether the new Freehold Rules apply to Foreigners as well as British subjects, or whether the former are still restricted to 99 years leases.

E. M. C. 3d January 1855, *Revenue Department*, No. 7.
In Cons. 25th January 1855, *No.* 86.

The Board are not aware of any other specific Enactment restricting the rights of Aliens as to holding land than Regulation XIX of 1802, which merely renders the sanction of Government necessary. The requirement of this Law would be met by the grant of the Freehold Certificate itself, under the seal of Government, nor so far as Revenue considerations are concerned are they aware of any reason why Foreigners should not be allowed the benefit of the Freehold Rules or permitted to hold lands in perpetuity, their amenability to the Revenue Laws and Courts being secured by Act III of 1859. As, however, the matter is a Legal, rather than a Revenue question, the Board resolve to submit it for the Orders of the Honorable the Governor in Council.

(A true Extract and Copy.)

(Signed) J. D. SIM, *Secretary.*

No. 38. ORDER THEREON, 23rd March 1860, No. 450.

The Freehold Rules of the 5th August 1859, apply to Foreign Europeans and to Americans as well as to British subjects.

2. The case referred to in this correspondence will be dealt with under clause first paragraph 4 of the Order above quoted.

(Signed) J. D. BOURDILLON,
Secretary to Government.

whether the former are still restricted to 99 years leases.

The Board are not aware of any express enactment restricting the rights of aliens as to holding land than Reg: XIX of 1802 which merely confers the sanction of Government when necessary. The requirement of this law would be met by the grant of the Freehold Certificate as itself, under the Seal of Government, nor so far as Revenue consideration are concerned are they aware of any reason why Foreigners should not be allowed the benefit of the Freehold Rules or permitted to hold lands in perpetuity, their amenability to the Revenue Laws and Courts being secured by Act III of 1839. As however the matter is a Legal, rather than a Revenue question, the Board resolve to submit it for the orders of the Honorable the Governor in Council.

(A true Extract & Copy)

Secretary.

To, J. D. Bourdillon Esqre.
Secretary to Government
Revenue Department.

5 August 1859 No 47
5 July 1855 No 22-24

26-219

19-10-93
19-1-94

Pro. of the Bd. of Rev. 5 Jany
Sto Con 1154
Con 80 4 Augt 62
Cons 2221 ini

24-7-15

No 37 No 38

4 March 1869

Rec 18th Sept
Proof Con 31st March
No 495

Proceedings of the
Board of Revenue

Dated 7th
Augt 7 3 March 1860
Rec 9th

Pro No 1156
Pro Dr Colvin C No 150
No 150 28 Aug 60

Submitting for the
orders of Govt an application
that the Coll of the Customs
Distt from Mr Long an
American Missionary for the
occupation of a little more
than two Cawnies of land for
building purposes.

Pro Do 8/30 July 60 Con 16
Pro

With an order

No 450

The penalties
of the 5th August 59 apply to
foreign Europeans and to Amer-
icans, as well as to British subj-
2 The case reported to
this correspondence will be dea
with under clause first Parag
4 of the order above quoted.

Fort St George
23d March 60
11 Copies
Board of Rev.
Disp 24