M.R.O. 14—18,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2261 Press ~~Mis.~~

195-196

Dated 11—12—~~19~~ 1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 11th December 1863.

No. 195. Read the following letter from H. D. COOK, Esq., Civil and Session Judge of Calicut, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Calicut, 20th November 1863, No. 442 :—

SIR,

With the view of providing for one of my sons I am contemplating the purchase for him of a piece of jungle land in Wynaad Talook. Before, however, I take any step towards the carrying out of this idea, I am desirous of knowing whether my doing so would be viewed by Government as contrary to the order which prohibits public servants purchasing land in their own Presidency. I have the honor, therefore, to request you will be kind enough to obtain for me the opinion of Government for my information and guidance.

No. 196. ORDER THEREON, 11th December 1863, No. 2,261.

1. Mr. Cook appears, from the foregoing letter, to be desirous of purchasing a piece of land in Wynaad in view to providing for one of his sons, and asks whether there is any objection to his doing so.

2. If Mr. Cook's son is of age there is no objection to the latter making the purchase, but Mr. Cook himself must be in no way interested in the adventure beyond receiving legal interest for any money which he may lend his son for the investment. Mr. Cook must not purchase the land himself.

3. The Government, moreover, could not permit Mr. Cook to hold office in a Zillah in which his son's land was situated.

(True Extract.)

(Signed) C. G. MASTER,

Deputy Secretary to Government.

To the Civil and Session Judge of Calicut.
„ Board of Revenue.

Exd. S. T. Augustin.

Calicut 20th November 1863.

From,

H. D. Cook. Esquire.

Civil and Sessions Judge of

Calicut.

To,

The Honorable A. J. Arbuthnot

Chief Secretary to Government

Fort St. George.

Sir,

With the view of providing for one of my sons I am contemplating the purchase for him of a piece of Jungle land in Wynad Taluk, before however I take any step towards the carrying out of this idea I am desirous of knowing whether my doing so would be viewed by Government as contrary to the order which prohibits Public Servants purchasing land in their own Presidency. I have the honor therefore to request you will be kind enough to obtain for me the opinion of Government for my information and guidance.

I have the honor to be
Sir
Your most Obdt. Servant.

H. D. Cook
Civil & Session Judge.

Civil & Sessions Court.
Calicut.
20th November 1863.

Sec. Dept.

No. 2261.

Proceedings of the Civil Servants Commissioners

Madras Castle, the 11th December 1863

Read the following letter

from the Civil Service Commissioners

- dated 4th December 1863 (Upon certain questions

referred to them by the Secretary of State

for India in Council)

- and Resolve as follows -

Resolved that it

- is the opinion of this Board that

Civil Servants are prohibited from

purchasing lands in the

Presidency in which they

serve, except with the sanction

of Government, and that

where no such objection exists

the Collector

should be consulted

before the purchase is completed.

Geo. Noble Chief Secy.

To the Civil Service Commissioners

Madras

- Revenue 1863 Dec. 7th
Govt. of Fort St. George December
No. 2859.

From

The Civil & Session Judge

of Salem

To

The Chief Secretary to Govt.

Fort St. George.

Dated 20th November

Recd 24th 1863.

No. 442.

Regarding the opinion of Government whether public servants are prohibited from purchasing lands in their own presidency.

For Orders.

If the son is of age & the father is not connected with the transactions, I conclude there would be no objection - but Mr. Cooke apparently wishes himself to buy land for his son at some future days to work - this I have some doubt whether is allowable. Mr. Fisher's case is just such.

L & S

- Mr. Cook could not purchase the land in his own name - if his son is of age, he might purchase on his own account" I think, but Govt would depute to a further Standing Office in a District where his son had land

If Mr Cook Junior is of age there is no objection to his purchasing land, and his father might I suppose give

or lend him money for the purchase. But the Cook Senior must not purchase the land himself nor must he give money either in the name of his son or in the name of any other person. He may lend him money for the purchase or take a mortgage for any money

Further Mr Cook cannot be a tenant of land while he is Collector of the District in which his son's land is situated. I suppose no matter what the value is in the Collector's "selling power"

C 25 Nov/63 R 26th

L 195

himself must be in no
way interested in the
adventure beyond re-
-ceiving legal interest
for any money which
he may lend him nor
for the investment of
Goods, must not purchase
the land himself -

The Government
moreover could not per-
mit the Court to hold
office in a Zillah in
which his own land
was situated -

E W

J H

Copy to the Circuit Sessions Judge of Cuttack Dept. 12 Oct.
14 — B of Revt

Revenue 1862 Despatch
Pro: of Govt for December

No 2261.

Pro: of the Madras Govt
of 11th Decr 63.

Mr. D. Cook
Civil Judge of Calicut
informed on what conditions he will be
permitted to purchase
a piece of land.

No 195 & 196.