

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 37 ³	<u>Press</u> <u>Mis.</u>
298-299	
Dated	21 - 2 - 19 1863

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
21st February 1863.*

No. 293. Read the following Proceedings of the Board of Revenue, dated 10th February 1863:—

Read the following letter from P. GRANT, Esq., Collector of Coimbatore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Coimbatore, 4th February 1863, No. 30.

SIR,

1. Adverting to the enclosed copy of letter from the Administrator General dated 13th ultimo, No. 2,804 of 1862, and at the instance of Colonel G. Briggs, Royal Artillery, I have the honor to request the ratification by Government of the several transfers of the property known as Kotah Hall at Kotagherry on the Neilgherry Hills.

2. The ground on which the house in question stands was originally leased by Government to the late Mr. James Thomas for a term of ninety-nine years renewable upon and after the expiration of every thirty years, subject to the payment of annual Quit-rent of Rupees 27-0-4, the extent of land being 20 Cawnies as it then stood. *Vide* accompanying copy of Indenture No. 84, dated 20th June 1838. One of the conditions of this grant was that the Lessee or his Executors, Administrators and Assigns shall not nor Will at any time during the term thereby demised, assign the premises or any part thereof (except by last Will and Testament) without the license and ratification of Government. This condition does not appear to have been fulfilled. A reference to the Registers of Quit-rent kept in this Office shows that shortly after the issue of the Indenture, the late Lord Bishop of Madras the Right Reverend G. T. Spencer became the owner of the property, and in his name it stood registered (together with some other land held on Puttah) until Fasli 1256 (1846-47) when it was transferred to the late Major-General Gibson, who held it for some years, and then gave it up to his son-in-law Colonel G. Briggs, in whose name the property stands registered from Fasli 1261 (1851-52), the area of land belonging to it is Cawnies 38-12-9-55 inclusive of the ground held on Pettah. So far as I can learn from the records of this Office the several transfers alluded to appear to be *bona fide* transactions, though the required ratification by Government was not obtained before each transfer was effected and the annual Quit-rent has been paid by the parties who severally held the property. Colonel Briggs lately transferred the premises to the late General W. Cuilen, but before the necessary documents were concluded, the latter gentleman died, and the Administrator General in whose hands the property and the papers connected with it are placed, considers that the absence of the fulfilment of one of the conditions of the original lease is objectionable. Under these circumstances I request the Board of Revenue will be good enough to obtain the ratification by Government of the several transfers above enumerated, in order that the necessary Deed of Sale may be executed by Colonel Briggs.

3. If an inspection by the Board of the documents concerning the transfers from Mr. James Thomas down to Colonel Briggs be required, I suggest the Board's obtaining the same from the Administrator General, to whom I will send a copy of this communication.

1. Ordered to be submitted for the consideration of Government.

2. The Quit-rent having been regularly paid, there appears to be no objection to the ratification by Government of the transfers proved to have taken place, the evidence regarding which in the hands of the Administrator General it may be desirable that the Government Pleader should examine before any formal act is done by Government.

(A true Copy and Extract.)

(Signed.) W. HUDLESTON Secretary.

No. 299.

ORDER THEREON, 21st February 1863, No. 373.

1. The Government see no cause for ratifying any of the transfers of this property. All that appears necessary is for them to waive the right of resumption created by its transfer without their previous license and ratification, as required by the Deed on which it is held. The papers will however be sent to Mr. Dale for his advice, with the intimation that Government have no desire to avail themselves of the condition in question.

Proceedings of the Madras Government, Revenue Department,
21st February 1863.

2. The Collector should be instructed to keep the land held on Pattah, separate from that mentioned in the Indenture, in his Register. His attention should also be drawn to the alleged conveyance of rights in some stream, by Colonel Briggs to the late General Cullen, in order that the rights of the Government if at all infringed by that conveyance may be duly asserted.

(Signed.) J. D. SIM,

Secretary to Government.

10-3/8-10
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ratifying any of the transfers
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created by ~~the~~ transfer without
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14. Cullen's Estate B. & F. C. 1873 I D S
a. Court Order with 2
Enclosures.

John St. George
21st - July / 63.

In Cas: 29 May / 38 N^o 21. Rev: 1853 Depart.
Pro: of Govt for Feb 3
N^o 378.

Proceedings of the
Board of Pleaders

Dated 10th
Feb. 10th { February 1853.
Feb. 12th
@ 2 o'clock at the Court House

From Govt Pleader
Madras 21 March / 63
C no 696 in

Submitting with Board's
opinion letter from the Sec-
retary of Government, request-
ing the ratification by the
Government of the Board's
decisions on the
Nigrahies.

N^o 373. 21 Feb
With an Order

13 Feb / 63 R17*

N^o 298 + 299.

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