

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1778	Press
		<u>Mis.</u>
	342.353	
Dated	27-9-	1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
27th September 1864.*

No. 392. Read the following letter from H. G. PRICHARD, Esq., for Government Solicitor, to C. G. MASTER, Esq., Deputy Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 17th September 1864, No. 510 :—

SIR,

1. I have the honor to acknowledge the receipt of the Proceedings of Government noted in the margin, relative to provision for meeting expenses incurred by Committees under Act XX of 1863 in the conduct of their duties.
2. I have submitted them for the consideration of the Advocate General, and
3. I now forward a copy of his opinion.

COPY OPINION.

1. I have been anxious if possible to avoid having recourse to the Legislature in this matter ; and have been in communication with the Government Solicitor with reference to paragraph 3 of the letter of the Collector of Kurnool, and other questions connected with this case.
2. It would appear, from what I have learnt, that the Government has not in its hands funds "from endowments forfeited from neglect of the required services ;" nor am I aware that the Government is in possession of any funds which could be applied to the expenses of the Committees appointed to act under Act XX of 1863.
3. I am clearly of opinion that all the fair and reasonable expenses to which such Committees are put ought to be defrayed, and that such charges ought to be borne by the Temples the administration of the funds of which they supervise.
4. I am further of opinion that the Trustees might safely pay such costs of the several Committees and that in event of any question being at any time raised in any Court, such payments would be sanctioned to the Trustees under the head of just allowances.
5. If all Trustees were willing to pay, no difficulty would arise : but this is scarcely to be expected and as the Committees supervise the affairs of many pagodas, differing in wealth and importance, questions and disputes as to the proportions in which the several Trustees shall contribute to the expenses of their Committee must be looked for.
6. As the Law stands at present there is no provision or machinery for the payment of the fair expenses of the Committees to be appointed under the Act : nor as the Law stands, can the Trustees of the Temples be compelled to pay those expenses.
7. I see therefore no other alternative than that of resort to the Indian Legislature, which upon the representation of this Government, would doubtless pass a short Act to supply the defect.

15th September 1864.

(Signed) J. B. NORTON,
Advocate General.

(True Copy.)

(Signed) H. G. PRICHARD,
For Government Solicitor.

No. 393.

ORDER THEREON, 27th September 1864, No. 1,778.

Miscellaneous.

Communicated to the Board of Revenue, who are requested to state whether the Act requires amendment in other respects.

(True Extract.)

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

To the Board of Revenue:

Exd. T. O'Connor.

For
1998

W-1778

Communicated to the Bd
of Revs who are requested
to state whether the Act
requires amendment
in other respects.

Fort St. George
27th Sept. /64

[Signature]

As per Letter of Revs. Dated 27 Sept.

$\frac{21}{3}$

Pro. 19. August / 64 A 280-281

Pro. of Govt for 18th Sept
From The Govt. Secy. Madras.

To The Dy. Secy. to Govt. Res. Dept.
Madras.

Dated 17th } September
Recd. 19th }

N^o: 570
one enclosure
N^o:

Forwards Copy Advocate General's
opinion relative to provision for
meeting expenses incurred by
Committees under Act XX of 1863
in the conduct of their duties. -

Pro. of the Board of Rev.
3 October / 64 L A 2598

A 1978-27 L A

With Order

12-12-10

8/10/10

N. 392+293

27 Sept 1910