

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	737	Press
		Mis.
	57-58	
Dated	5-4-	1863-

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
5th April 1865.*

No. 57. Read the following Proceedings of the Board of Revenue, dated 20th March 1865, No. 1,559.

Read the following letter from G. BANBURY, Esq., Acting Collector of Tinnevely, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Palacottah, 20th February 1865, No. 105:—

With reference to Section 3, Regulation XIX. of 1802, and to a Circular from the Registrar of Government Grants under date the 10th April 1854, stating that no body should possess lands in territories belonging to the British Government, who is not a British subject without the special sanction of Government, I have the honor to report that the Reverend L. Verdier, a French Roman Catholic Priest, residing in this District, has applied for permission to purchase from a native proprietor in the village of Thirukalur in the Tenkarai Talook for the benefit of a charitable institution under his charge in the above Talook, certain Nunjah lands particularized in the annexed Statement. The proprietor is willing to sell the lands, and I see no objection to the Reverend Mr. Verdier's being permitted to purchase this landed property for the purpose stated, and I therefore request that the necessary sanction may be obtained.

ENCLOSURE No. 1.

STATEMENT shewing the boundaries, extent, &c., of the land situated in the village of Thirukalur, in the Tenkarai Talook, proposed to be purchased by Reverend L. Verdier.

in the Tenkari talook, proposed	Boundaries of the land.	Extent.	Assessment.	Name of Puttahdar.	Remarks.
	1	2	3	4	5
	C. M. M.	RS. A. P.			
Keelakarun Velay Cutly limits.					
Amana Cudee field, No. 1,000.					
East.—Seeneiyen's Anaicary field ...	0 7 7				
North.—Letchminaraniyen and Strinivasien's fields...					
West.—Seneiyen's field ...					
South.—Threshing floor ...					
Vunniyadee field, No. 1,084.					
North.—Threshing floor ...	0 14 2				
East.—Sukundali field ...					
South.—Thentheripary do. ...					
West.—Vencatasoobien's do. ...					
Field termed Poilanpilly Cundu and Sadien Pullun, Nos. 1,093 and 1,094.					
South.—Letchminaraniyen, Strinivasien, and Nullaypilly's fields...	0 18 5				
West.—Vencatasoobien's field ...					
North.—Branch channel ...					
East.—Seeneiyen's field ...					
Field No. 1,097 termed Thoriyady field.					
South.—Vencatasoobien's field ...	0 5 7½				
West.—Letchminaraniyen and Strinivasien's fields ...					
North.—Vencatasoobien's field ...					
East.—Branch channel ...					
Fields Nos. 1,099, 1,100, 1,102, and 1,109.					
North.—Sookundalicootum ...	1 4 2				
East.—Seeneiyen's field ...					
South.—Seeneiyen's Othapaniyadee field ...					
West.—Thentheripary fields ...					
Total...	3 8 7½	33 11 10			

TINNEVELLY,
20th February 1865.

(Signed) G. BANBURY,
Acting Collector.

*Proceedings of the Madras Government, Revenue Department,
5th April 1865.*

1. Submitted for the sanction of Government.

The Board observe that Government in Government Order, No. 450, dated 23rd March 1860, ruled that the freehold rules of the 5th August 1859, applied to foreign Europeans and to Americans as well as to British subjects. Those rules have since been superseded by the rules for the sale of unassessed waste dated 5th March 1863, No. 476, which have been made applicable to sales of Government assessed waste land required for building purposes, by Government Order No. 1,239, dated 9th July 1863, in which the Board were also informed that a reference to Government in each such case as that referred to in the Board's Proceedings upon which that order was passed, was unnecessary.

3. The land which the Reverend Mr. Verdier (a native of France) now wishes to purchase does not, however, belong to Government, but to a private individual. Had the land belonged to Government, it could have been sold only by public auction under the existing rules, and the title deed would have been submitted for the Government seal, by which step the sanction of Government required by Section 3 of Regulation XIX. of 1802, would have been obtained; but in the case of the purchase of private lands, until the existing land is altered, the formal previous sanction of Government would seem to be necessary to render the purchase legal.

No. 58.

ORDER THEREON, 5th April 1865, No. 737.

Land Revenue.

Sanctioned.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

Memo. on the subject of Foreigners buying land in India.
With regard to Foreigners buying land in India, the Reg. of 1822, Sec. III to IV forbids any European from holding lands out of the jurisdiction of the Supreme Court without the special sanction of Govt. Reg. IV of 1837 permits British subjects to hold such land without special sanction, but leaves foreigners under the same conditions as before. Hence it is clear that a foreigner must obtain the special sanction of Govt. before he buys land in India.

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No.

from gov^t he gets the ne-
cessary sanction in the
title deed.

Order 23rd
Mar 1860 &
13th Mar. 20th
Mar 838

But if he buys the land
from a Native occupant
an application must be
made for the sanction of
gov^t.

Mr. Gardner a Frenchman
has several times bought land
in this way each time the
sanction of gov^t has been
applied for & given. He now
asks for it again.
As far as I can find of
the papers before me there
has been only one other
similar case.

Order 20th Dec^r
1862, 2646.
12th Jan 1863, 66
25th Mar 1863, 574

Order 20th Mar
1860

Hence the question

is an ~~unimportant~~ one at
present & no change in the
law seems to be called for

20.3.65

J.P.

No. 1559.
Proceedings of the Board of Revenue, dated 20th March 1865.
Read the following letter from G. BANBURY, Esq., Acting Collector of Tinnevely, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Palmettiah, 20th February 1865, No. 105:—

G.O. 5th April 1865
107/57

No. 1,559.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 20th March 1865.

Read the following letter from G. BANBURY, Esq., Acting Collector of Tinnevely, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Palmettiah, 20th February 1865, No. 105:—

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	C. M.	Rs. A. P.		
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Amana Cadee field, No. 1,083.				
East.—Seeneiyen's Anaicary field	0 7 7			
North.—Letchminaraniyen and Strinivasien's fields				
West.—Seneiyen's field				
South.—Threshing floor				
Vunniyadee field, No. 1,084.				
North.—Threshing floor	0 14 2			
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West.—Vencatasoobien's do				
Field termed Poilanpilly Cundu and Sadien Pullun, Nos. 1,093 and 1,094.				
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West.—Thentheripary fields				
Total	3 8 7½	33 11 10		

(Signed) G. BANBURY,
 Acting Collector.

TINNEVELLY,
 20th February 1865.

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2. The Board observe that Government in Government Order, No. 450, dated 23rd March 1860, ruled that the freehold rules of the 5th August 1853, applied to foreign Europeans and to Americans as well as to British subjects. Those rules have since been superseded by the rules for the sale of unassessed waste dated 5th March 1863, No. 476, which have been made applicable to sales of Government assessed waste land required for building purposes, by Government Order, No. 1,239, dated 9th July 1863, in which the Board were also informed that a reference to Government in each such case as that referred to in the Board's Proceedings upon which that order was passed, was unnecessary.

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(True Copies and Extract.)

[Signature]
Acting Secretary.

To J. D. Sim, Esq., Secretary to Government, R.D.

Copy to G. Banbury, Esq., Acting Collector of Tinnevely.

Exd. J. Wright.

14 For the Board of Revenue

PROCEEDINGS OF THE BOARD OF REVENUE,

No. 835-

1865 Department

Dated 20th March 1865.

No. 1,559.

Submitting with remarks letter from the Acting Collector of Tinnevely reporting that a French Roman Catholic Priest is desirous of purchasing certain Nangunah lands from a native proprietor in Tenkari Taluk, and requesting that the necessary sanction may be obtained.

W. S. 1863
W. S. 1863