M.R.O. 14-5,450—22-10-25.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 3334 — Press ~~Mis.~~

135. 136

Dated 11— 12— 1866.

***Not to be folded or roughly handled***

## *Proceedings of the Madras Government, Revenue Department,* 11*th December* 1866.

No 135. Read the following Proceedings of the Board of Revenue, dated 26th November 1866, No. 8,507.

Read the following letter from the Acting Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 20th November 1866, No. 293:—

1. With reference to paragraph 2 of the Board's Proceedings of the 16th August 1866, No. 5,775, I have the honor to forward extract from a letter from Mrs. Schnarre, dated 3rd instant, containing information on the point adverted to in paragraph 5 of the Copy Opinion of the Acting Advocate General.

2. The original Will and Certificate alluded to, are herewith sent, and I request that they may be returned when no longer required.

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Extract from a letter from Mrs. Schnarre, to the Collector of Coimbatore, dated 3rd November 1866.

With reference to your letter of the 30th August last, forwarding, for my information, a printed copy of the Proceedings of the Board of Revenue, dated the 16th August, No. 5,775, with the opinion of the Acting Advocate General, regarding the conveyance of the land purchased by my late husband, Mr. Schnarre, at Malakoondah, I have the honor to inform you that the only assets left by my husband within the jurisdiction of the High Court at Madras, was a small sum of money in the hands of Messrs. Arbuthnot and Co. This sum was paid to me by these gentlemen on my presenting the Certificate of Will furnished by this Court.

The opinion of the Acting Judge Advocate General is evidently given on a misconception, or a want of information respecting the fact. By my late husband's Will, which has been proved in this Court, I am left sole legatee and executrix. I forwarded the original Will, together with the Certificate of the Civil Court of Ootacamund, to your Special Assistant, then Mr. Hannyngton, and placed in his hand every information. Had the Government issued the title deed to Mr. Schnarre at the time it should have been issued, this property would have passed to me by the Will. The children take no share in the property either by usage or otherwise, all the late Mr. Schnarre's property being acquired by himself, could pass by Will.

My late husband purchased and paid Government for the land in question, and it now remains for the Government to give a title to that land, without subjecting me to unnecessary expense or delay.

I further beg to inform you that I have sold the land in question, for Rupees 10,000, to Colonel Fryers, of the Bengal Service, and if Government deprive me of the advantages of this sale, by withholding from me the title deed, I beg to inform you that I shall look to them, through you, for this sum, as the land is of no value to me, nor to my children, who are all very young, and neither I nor they can turn it to account. The consequence is that the Government, by withholding the title deeds of this land, will cause me a positive loss of Rupees 10,000, and for which they must be legally responsible.

If the Government wish to state the case for the opinion of the High Court, as suggested in paragraph 4, I shall forward, without delay, the original Will and Certificate; but this opinion will, I trust, be obtained without expense to myself.

(True Extract.)

(Signed) A. MacGREGOR,
*Acting Collector.*

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Enclosure No. 1.—Will.

Enclosure No. 1.—Court's Certificate.

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1. Ordered that copy of the above letter, and the original enclosures, (to be returned,) be forwarded to the Acting Government Solicitor, with reference to his

letter dated 13th August 1866, No. 472, and with the request that he will bring them with the former correspondence under the consideration of the Acting Advocate General, and favor them with Mr. Mayne's opinion whether any further objection exists to granting Mrs. Schnarre a title for the land purchased of Government by her late husband, she being sole legatee and executrix under his Will.

2. It would appear from the extract of Mrs. Schnarre's letter to the Collector, that this Will was laid by her in the first instance before the Special Assistant, but the Board have now for the first time learnt of its existence.

3. The Ootacamund Court's Certificate makes no mention of it, but it would appear to have been granted on its production.

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No. 136. ORDER THEREON, 11th December 1866, No. 3,334.

Land Revenue. Ordered to be recorded.

(True Extract.)

(Signed) J. GROSE,

*Under Secretary to Government.*

To the Board of Revenue.

Encl. S. T. Augustin.

Pro. 28th August 66 Nos 7147 715

26

Rev. 1866. Department.
Pro of Govt for December

No. 4281.

PROCEEDINGS OF THE BOARD OF REVENUE,

*Dated 26th November* 1866.

Dep. 27 - do
Rec. 28th

Pro. of the Board of Rev
of 20th December 66 No 4554

No. 8,507.

Forwarding to Acting Government Solicitor copy of letter from the Collector of Coimbatore, and requesting to be favored with Acting Advocate General's opinion whether any furthur objection exists to granting Mrs. Schnarre a Title Deed for the land purchased by her late husband at Malakoondah. N. 3334.

RECORDED.

11th Decem 1866

14 Ltr Dis. 28 Nov 12 Encls

A. 1354/136