M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 110 Press Mis.

226-25
Dated 21-1-1870 19

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
21st January 1870.

No. 224. Read the following letter from the Government Solicitor, Madras, to the Chief Secretary to Government, Fort Saint George, dated Madras, 22nd December 1869, No. 710 :—

I HAVE the honour to acknowledge the receipt of the Order of Government, noted in the margin, requesting me to ascertain the validity of Mrs. Rae's transactions with reference to the Estate of her late husband, as detailed in her letter to the Commissioner of Neilgherries, dated the 25th November 1869.

Dated 15th December 1869, No. 3,186, Revenue Department.

2.. From the letter above referred to, it would appear that Mrs. Rae, as the Administratrix of her late husband's Estate, has caused his Tea Plantation to be sold by public auction and purchased it herself; this mode of dealing with the Estate by Mrs. Rae, though not absolutely void in law, is still voidable at the instance of any other person interested in the property; the 270th Section of the Indian Succession Act X. of 1865 providing that "if an Executor or Administrator "purchases either directly or indirectly any part of the property of the deceased, "the sale is voidable at the instance of any other person interested in the property "sold." I am therefore of opinion that it would not be advisable for Government to recognize Mrs. Rae's title either to the Estate left by her late husband or to the further grant of land now proposed to be made by Government, until she has obtained from the other persons interested in the deceased's Estate a Deed of Confirmation of the purchase of such Estate by herself, and a Release of all claim to be interested in the further grant of land now proposed to be made by Government.

No. 225. ORDER THEREON, 21st January 1870, No. 110.

Miscellaneous.

COMMUNICATED, through the Board of Revenue, to the Commissioner of the Neilgherries, who is requested to inform Mrs. Rae that she will be furnished with a Title-deed on her procuring the documentary evidence indicated in the concluding portion of the Government Solicitor's letter.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
„ the Government Solicitor.

Exd. F. R. Bantleman.

Rev. & Miscellaneous

No. 110.

Proceedings of the Madras Government

Under date the 21st January 1870.

Read the following

Letter from the Government

Solicitor.

Stating that he is of opinion that it would not be advisable for Govt. to recognise the Petn. Reed. title either to the late Lt. Roy Kerr late husband or to the petitioner to the grant of land now pro. posed to be made by Govt. until she obtains an Deed of Confirmation of the Inheritance of the late Lt. Roy Kerr.

G.O. 21st Decr. 1869 No. 110

Communicated to the Board of Revenue for their Information.

By Order

Revenue to the Commissioners of the Settlement

who is requested to inform the Petitioner that

Mrs. Rae that she will be

Vide Nos 1133 & 1172 of 1851.

Bobf. of {1870} Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated January 21st.

Read Encl.

G. O., 21st January 1870, No. 110.

JANUARY.

Nos. 224-225.

Late Mr. Rae's Estate.—Mrs. Rae to be informed that she will be furnished with a Title-deed on her procuring the documentary evidence alluded to by the Government Solicitor.

be furnished with a
Title Deed on her pro-
curing the documentary
evidence indicated in
the concluding portion of
the Government Solicitor's
letter.

Yrs

Mr Tho Bryden Dec 22
4 Govt Solicitor