M.R.O. 1—5,006—16-10-50.

(1) Number of pages 26

(2) Date of repair 27-1-1960.

(3) Initials of the Referencer

27/1/60

MADRAS RECORD OFFICE

822 D 2-7-1874

Government of Madras

Revenue DEPARTMENT

G.O. No.	822	Press
~~B.P. No.~~	(Bach nos. 5–7)	~~Mis.~~
Dated	2-7-1874	~~195~~ .

Not to be folded or roughly handled

Read the following letters:—

No. 5. From H. G. PRICHARD, Esq., Government Solicitor, Madras, to C. G. MASTER, Esq., Acting Secretary to Government, Revenue Department, dated Madras, 1st April 1874, No. 184.

WITH reference to the order of Government, dated 16th December 1873, No. 1,435, Revenue Department, requesting me to draw out the deed therewith forwarded in such terms as the altered circumstances of the case may render necessary, I have now the honor to forward you herewith the engrossment of the Lease and Counterpart thereof from the Secretary of State for India in Council to Mrs. H. A. Rae for 999 years, together with instructions as to the mode in which they should be executed and attested.

2. With regard to the stamp on the Lease and Counterpart, it is provided by the Stamp Act that, in the absence of an agreement to the contrary, the expense of providing the proper stamp in the case of a Lease should be borne by the lessee, and in the case of a Counterpart of a Lease by the lessor; the Lease, therefore, to be handed to Mrs. Rae will require an 8-Anna stamp, calculated under Clause 19, Schedule 1 to the General Stamp Act No. XVIII. of 1869.

3. The Lease and Counterpart will have to be registered in the usual manner after registration.

INSTRUCTIONS.

THE blanks in the accompanying Lease and the Counterpart thereof having been filled up in words at length and not in figures, each of the parties should, in the presence of two witnesses, sign his and her name where it is now written in pencil opposite the Seal, and should immediately afterwards put his and her finger on the Seal and say: "I deliver this as my act and deed."

The two witnesses should then sign their names beneath the attestation where the letters "A B" and "C D" are marked in pencil, and should add their rank or description and places of residence.

The name of the officer who is to execute the deed on behalf of Government is left blank, which will have to be filled up previous to execution.

No. 6. From H. G. PRICHARD, Esq., Government Solicitor, Madras, to the Under-Secretary to Government, dated Madras, 22nd May 1874, No. 297.

I HAVE the honor to acknowledge the receipt of your official memorandum, dated 17th April 1874, Revenue Department, returning the engrossment of Mrs. H. A. Rae's Lease, and suggesting certain alterations therein.

2. I have looked through the orders of Government referred to in the 1st paragraph of your official memorandum, and agree with you that the order of the 28th September 1869, No. 2,670, would be more appropriately cited than the order of the 17th July 1869, No. 2,075, although neither of the two orders is very explicit as to the grant of the present Lease to the late Mrs. Rae; I have accordingly altered the deeds in this particular.

3. I have also made the alterations suggested in paragraphs 2 and 3 of your official memorandum, though I have not thought it necessary to make Mrs. Colonel Morgan and Captain E. J. S. Rae, two of the next-of-kin of the late Mr. H. D. Rae, parties to the Lease, seeing that the latter died in insolvent circumstances, and that

the late Mrs. Rae, *as his administratrix*, sold her right to the present Lease by public auction and subsequently re-purchased it on her own account.

4. I herewith return the Lease and Counterpart thereof, with the alterations above referred to duly made in them.

No. 7. ORDER THEREON, 2nd July 1874, No. 822.

Miscellaneous.

ORDERED that the Lease and Counterpart received with the second of the foregoing letters be executed by the Acting Secretary in this department after the Lease shall have been duly stamped, and that both the Lease and Counterpart be then forwarded to the Commissioner of the Nilgiris for execution by Mrs. H. A. Rae; due attention being paid in the execution of the documents to the Government Solicitor's instructions adverted to in the latter part of paragraph 1 of his letter of 1st April above recorded.

2. As the documents have to be registered, a spare copy of the map attached thereto should be obtained in view to its being filed in the Registrar's Office.

3. After execution, the Commissioner will cause the Lease to be delivered to Mrs. Rae, and he will retain the Counterpart amongst the records of his Office.

(True Extract.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Commissioner of the Nilgiris.
„ the Government Solicitor.
„ the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of Madras.

REVENUE.

To

THE COMMISSIONER OF THE NILGIRIS,

&c. &c. &c.

Dated July 2nd.

Read.

Encl.

G. O., 2nd July 1874, No. 822.

JULY.

Nos. 5—7.

Lease for Mrs. H. A. Rae's land at Sholoor, Nilgiris.—Authorizes Acting Secretary, Revenue Department, to execute—; calls for a spare copy of the map attached; directs Commissioner to deliver the Lease to Mrs. Rae after execution, and to retain the Counterpart amongst his Office records.

No. 184.

Madras, 1st April 1874.

From

W. G. Prichard

Government Solicitor.

Madras.

To

C. G. Master Esqre.

Actg. Secretary to Government,

Revenue Department,

Fort St. George.

Sir,

1. With reference to the Order of Government dated 16th December 1873, No. 1455, Revenue Department, requesting me to draw out the Deed herewith forwarded in such terms as the altered circumstances of the case may render necessary, I have now the honor to forward you herewith the engrossment of the Lease and Counterpart thereof from the Secretary of State for India in Council to Mrs. H. A. Rae for 999 years, together with instructions as to the mode in which they should be executed and attested.—

2. With regard to the Stamps on the Lease and Counterpart, it is provided by the Stamp Act that in the absence of an Agreement to the contrary, the expense of providing the proper stamp in the case of a Lease, should be borne by the Lessee and in the case of a Counterpart of a Lease by the Lessor, the Lease therefore to be handed to Mrs. Rae will require an 8 Annas Stamp, calculated under

under Clause 19 Schedule 1 to the General Stamp Act
No. XVIII of 1869.

3. The Lease and Counterpart will have to be
registered in the usual manner after registration.

I have the honor to be,
Sir,
Your most Obedient Servant.

A. G. Prichard
Government Solicitor.

Instructions.

The blanks in the accompanying Lease and the Counterpart thereof having been filled up in words at length and not in figures, each of the parties should in the presence of 2 Witnesses sign his and her name where it is now written in pencil opposite the Seal, and should immediately afterwards put his and her finger on the Seal and say, "I deliver this as my act and deed".

The 2 Witnesses should then sign their names beneath the attestation where the letters "A. B." and "C. D." are marked in pencil, and should add their rank or description and place of residence.

The name of the Officer who is to execute the Deed on behalf of Government is left blank, — which will have to be filled up, previous to execution.

Rec'd from 18th H. Office
the Government Solicitor
Madras,
The Agreement to Government
Revenue Department
Fort St. George.
Dated 1st
Read 23 April

Office of the
Collector of
Tanjore
Forwards the Engrossment
of the Lease and Counterpart
thereof from the Hon'ble Henry
Stokes for execution by Govind
Row for 999 years
together with the Kuttubadi
Patta granted in favour
thereof

Exc 2 Aug/74 No 522

Rec'd 5 Aug/74.

To the Secretary/73 No. 222-24.

12

Instructions.-

Rec: 1/11/74
Rep: 2 & 3/11/74
L. 15 N.S.

13

No. 297.-

Madras, 22nd May 1874.

From

H. G. Prichard
Government Solicitor
Madras,

To

The Under Secretary to Government
Fort St. George

Sir,

1. I have the honor to acknowledge the receipt of your Official Memorandum dated 17th April 1874, Revenue Department returning the engrossment of Mr. H. A. Rae's Lease and suggesting certain alterations therein.

2. I have looked thro' the Orders of Government referred to in the 1st para: of your official Memorandum and agree with you that the Order of the 28th September 1869 No 2670 would be more appropriately cited than the Order of the 17th July 1869 No 2075 - altho' neither of the 2 Orders are very explicit as to the grant of the present Lease to the late Mrs Rae - I have accordingly altered the Deeds in this particular -

3. I have also made the alterations suggested in paras: 2 and 3 of your official Memorandum, though I have not thought it necessary to make all Mrs Colonel Morgan and Capt.n C. I. S. Rae 2 of the next of kin of the late Mr. H. D. Rae, parties to the Lease, seeing that the latter died in Insolvent circumstances and that the late Mrs Rae as his administratrix sold her right to the present Lease by public Auction and subsequently repurchased it on her own account.

4. I herewith return the Lease and

counterpart

my dear Mr DeCaux

Mr Masters will sign
these Deeds if Mrs Kuer - Do
the needful now - let all the
blanks in the Deed be
filled up in pencil before
they are finally sent up
for signature -

Yours truly
J. A. Smith

22 D. June 74

Revenue Department.

No. 822.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 2d July 1874.

READ the following Letters from the Govt. Solicitor Madras.

Forwarding the engrossment of the Lease and Counterpart thereof from the Secy of State for India in Council to Mrs H. A. Rae for 999 years, together with instructions as to the manner in which they should be executed and attested &c — H. E. 15th April 1874 No 184.

Forwarding the Lease and Counterpart of Land at Sholoor, near Ootacamund on the Nilgiris, with the alterations made therein — " 22d May — No 297

Ordered that the Lease and Counterpart received with the record of the foregoing Letters, be executed by the Secretary in this Department after the Lease shall have been duly stamped, and that both the Lease and Counterpart be then forwarded to the Commissioner of the Nilgiris

Note for Secretary's information

Copies of this G. O. are sent to the [illegible] with a request that he will be good enough to arrange for a Lease of the land to Mrs Rae and to forward the Lease and Counterpart to this Office for execution

[illegible]

My dear Mr Smith.

Herewith a G.O. and Office Memo on the subject. The Blanks in the Lease & Counterpart - the blanks in the last page have been filled up in pencil - the blank in the 4th page is for entry of the date (Thirtieth) on which the documents are signed. I think it would be well if both the Secretary & Mrs Rae affix their signatures on the same day

Yours Sincerely

L. D'Cruz

30. 6. 74

* This date (30th June) is to be written (in figures) on the docket in the blank left for the purpose

Nilgiris for execution by
Mrs A. A. Rae; due attention
being paid, in the execution of
the documents, to the Govt Solicitor's
instructions, adverted to in the
latter part of para 1 of his letter
of 1st April above recorded

2. As the documents
have to be registered, a spare
copy of the map attached thereto
should be obtained, in view to
its being filed in the Registrar's
office.

3. After execution, the
Commissioners will cause the
Lease to be delivered to Mrs
Rae, and he will retain the
Counterpart amongst the records
of his Office.

Commissioner of the Nilgiris
Government Solicitor
Board of Revenue.
Copy sent for information.

Note for Secretary's information and Orders on Nos. 1117 & 1667 —
from Government Solicitor, submitting Lease and Counterpart of Mrs. A. A. Rae's land at Sholoor - Nilgiris.

This lease and Counterpart, as will be seen from the last page, is drawn out for execution by an Officer on behalf of Government and not stated who this Officer is to be; while, from the papers marginally noted it would appear that the Lease dated 16th June 1865, in favor of Mr. A. D. Rae was signed by H. E. the Governor, as also by the Chief Secretary - This lease of 1865 is not in this office, nor in the Government Solicitor's office, to see how it was actually executed on behalf of Government; it is likely to be in the Commissioner's office - Nilgiris —

In the case of Title Deeds for waste lands, the Seal of Government is affixed to the documents in the presence of

* Please see enclosure of Covenant - No. 1117 - last para.

G.O. 16th June 1865 No. 1343 (enclosure)
" 11th July - " - 1591.

of the Revenue Secretary to Government

If the present Lease and Counter-
part are to be passed as prepared by the
Government Solicitor, orders are requested
as to who is to be the Officer to execute
the documents on behalf of Government

Note
fundeerya ider

Respectfully Learcy
Mrs H. E. Rhodes Law
at Scholar-Bilgeri

822