M.R.O. 1—20,002—12-3-65.

(1) Number of Pages 20.

(2) Date of repair 7-2-68.

(3) Initials of the Referencer 26.4.68

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1536.	Press
B.P. No.		Mis.
Dated	28-10-1875	196 . .

Not to be folded or roughly handled

1536

Proceedings of the Madras Government, Revenue Department,
28th October 1875.

No. 176. Read the following letter from H. G. PRICHARD, Esq., Government Solicitor, Madras, to the Acting Secretary to Government, Ootacamund, dated Madras, 27th August 1875, No. 414 :—

WITH reference to the order of Government, dated 4th November 1874, No. 1,392, Revenue Department, requesting the Board of Revenue to furnish to the Advocate-General the documents and information required by him in connection with the Sadayengal village in the Tanjore District, I have now the honor to forward herewith a copy of the Advocate-General's opinion relative to the question as to the S. P. G. Society being accepted as Trustees of the funds which may be realised by the sale of the above village.

OPINION.

I HAVE perused the Charter of the Society, the Grant to Mr. Swartz, the Sanad of the Inam Commissioner, and the Declaration of Trust by Mr. Kohloff; and I am of opinion that the course proposed by Mr. Strachan can be safely carried out. The Society is a corporation, and the Trust Deed, accordingly, need only transfer the purchase-money to the Society on the trusts of the original grant. It would be desirable to set out the whole transaction with explicitness in the Trust Deed, and to recite the assent of Government; otherwise objection may be taken to ability of the Tanjore Mission to give a good title.

(Signed) H. S. CUNNINGHAM,
24th August 1875. *Advocate-General.*

No. 177. ORDER THEREON, 28th October 1875, No. 1,536.

Miscellaneous.

UNDER the assurance given by the Advocate-General in the paper above recorded, the Governor in Council authorises the law-officers of Government to aid the Society for the propagation of the Gospel in effecting the desired modification of the trust.

(True Extract.)

(Signed) L. A. CAMPBELL,
Under-Secretary to Government.

To the Government Solicitor.
„ the Board of Revenue.

Exd. F. R. Bantleman.

Govt. of {1875} Madras.

REVENUE.

To

The GOVERNMENT SOLICITOR,

&c., &c.

Dated October, 28th.

Read.

Encl.

G. O, 28th October 1875, No. 936.

OCTOBER.
Nos. 170-177.

Sudayagal Village, in Tinjore District. — Authorising the law-officers of Government to aid the Society for the propagation of the Gospel in effecting the modification of the Trust Deed suggested by the Advocate-General in connection with the —.

2/1886

Opinion.

I have perused the Charter of the Society, the Grant to Mr. Swartz, the Sunnud of the Inam Commissioner and the Declaration of Trust by Mr. Kohloff: and I am of opinion that the course proposed by Mr. Strachan can be safely carried out. The Society is a Corporation and the Trust Deed, accordingly, need only transfer the purchase money to the Society on the trusts of the original Grant. It would be desirable to set out the whole transaction with explicitness in the Trust Deed, and to recite the assent of Government: otherwise objection may be taken to ability of the Tanjore Mission to give a good title.

/Signed/ W. S. Cunningham.
24. 8. /75.

/True Copy/
H. G. Richard
Government Solicitor.

4/1536

No. 414.

Madras, 27th August 1875.

From

W. G. Prichard
Government Solicitor
Madras,

To

C. G. Master Esq.re
Acting Secretary to Government.
Ootacamund.

Sir,

1. With reference to the Order of Government dated 4th November 1874, No. 1392, Revenue Department, requesting the Board of Revenue to furnish to the Advocate General the documents and information required by him in connection with the Sadayengal Village in the Tanjore District, I have now the honor to forward herewith a copy of the Advocate General's opinion relative to the question as to the S. P. G. Society being accepted as Trustees of the funds which may be realized by the sale of the above Village.--

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

W. G. Prichard
Government Solicitor.

Rev 3399/75

25

Enclosure in Letter from the Government Solicitor, Madras, to the Secretary to Government, Ootacamund, dated 27th August 1875. No. 414.

Revenue Dept.

G.O. 2 Sept 74

From the Secy. to Govt. of Madras (Jud. Dept.)
To the Secy. to the S.P.G. Trustees, Madras
No. 8. 47: Augt. 25 1874.
Re Trustees of the Sydapet Village sold for Rs. 4/14.

I have the honor to forward herewith a letter from the Secy. to the S.P.G. Trustees, Madras, requesting to be informed whether Government would be willing to accept the Trusteeship of the Sydapet Village sold for Rs. 4/14 and to request that the Advocate General's opinion be taken on the question.

I have the honor to be
Sir
Your most obedient servant
(Sd) [illegible]
Secy. to Govt.

To
The Secy. to the S.P.G. Trustees
Madras

No. 31 & Branch.
74 dt 10 Aug.

Dated 10th Aug. 1874.

G.O. 2 Sept 74
No 1817

Ans: 1875.: Dept
No. 3399.

From
The Government Solicitor
Madras

To
The Ag. Secretary to Govt.
of Fort St. George

Dated 27th August 1875
Recd 30th August 1875

Enclosure 1.
No. 414.-

Forwarding copy of the Advocate General's opinion relating to the question as to the S.P.G. Society being accepted as Trustees of the funds which may be realized by the sale of the Sydapetal Village.-

Revenue Dept. No. 1536. 28th October 1875.-

20. 4-11-74 to 20-21.

h-176.

C.29. Sept/76 No. 13 to 75.

opinion of the
Advocate General.

3. This officer pointed
out that if the
Secretary's suggestion
were complied with
"the trusts with
which it is at present
charged viz the
appropriation to the
education & children
& maintenance &
orphans at Tanjore"
might lapse.
To obviate this he
pointed out two
plans & the Government
said
"there is no objection
to the sale of the
village of Salayangal
provided a trust is
created under which
the Trustees would
hold the fund for
the same purposes
as those contemplated
by the Summd"

(the land)

Lo. 1st Sept 74
No: 1114

Lo. 7th Oct 74
No: 1279.

4. The Secretary Sp.
then pointed out
that his Court
"is incorporated by
Royal Charter" & is
& therefore capable
of holding moneys &
land in perpetual
succession and is
without the necessity
of appointing fresh
Trustees from time
to time". And asked
if Government would
"accept the Court
as Trustee".
The Government
referred this further
point to the
"Law officers of
Government & stated
there be no legal
objection to the course
suggested" & requested
"that they will draft
the necessary deed"

5. Mr. Cunningham asked "to see the Society's charter" & for particulars as to the land and "the circumstances under which it is to be transferred to the Trustees". The Board & Secretary S.P.G. were requested to furnish the information.

f.o. 4th Nov: 74 No: 1392.

6. The Advocate General now says "the course proposed by Mr. Strachan (i.e. the Secretary S.P.G.) can be safely carried out & enables certain suspensions as to the deed. By f.o. 7th Oct: 74 No 1229 (quoted in para 4 supra) he should under these circumstances have drafted "the necessary deed." And as the Government have pledged themselves to "render such assistance as may be required in the preparation of the Trust Deed" it is presumed that the Advocate General & Sol: Solicitor should be instructed accordingly.

Sir

* para 4. f.o. 1st Sept 74. No: 1114

4 Sir. I say that under the circumstances given, the Govt. Law Officers are authorized & ought the Society in effecting the desired modification of the Trust.

Sir

Revn. Department

No. 1536

Proceedings of the Madras Government

Under date the 28th October 1875.

Read the following

letter from the Govt. Solicitor.

Forwarding copy of the Advo-
-cate Genl's opinion relating to the
question as to the S. P. G. Society
being accepted as Trustees of the
funds which may be realized by
the sale of the Sadayengal village.

(Rd. 27th August 1875 No. 414)

Under the assurance
given by the Advocate Ge-
neral in the paper above
recorded; the Governor in
Council authorizes the Law
Officers of Govt. to aid the So-
ciety for the propagation of the
Gospel in effecting the desired
modification of the trust.

4 To the Bd Solicitor Dec 29th
14. the Board of Revs

G.O.

Sadyangal village
of Tanjore Dist. and
Gospel Prop. Society