M.R.O. 14—18,000—27-8-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 184 Press ~~Mis.~~

385-390

Dated 19—1— 1867.

Not to be folded or roughly handled

Read the following papers :—

No. 385. Proceedings of the Board of Revenue, dated 20th December 1866.

Read the following letter from the Acting Government Solicitor, to the Secretary to the Board of Revenue, dated Madras, 15th December 1866, No. 696.

1. I have the honor to acknowledge the Proceedings of the Board of Revenue noted in the margin, with the enclosures therein referred to, and herewith returned, requesting the Acting Advocate General's opinion as to whether, under the circumstances therein disclosed, any further objection exists to the grant, to Mrs. Schnarre, of a Title Deed for the land at Malakoondah, purchased from Government by her late husband.

Dated 26th November 1866, No. 8,507.

2. I submitted the matter, together with the former correspondence and opinions connected with it, for the consideration of the Acting Advocate General; and

3. I now forward a copy of his opinion.

OPINION.

Under the circumstances, now for the first time stated, of Mr. Schnarre having left a Will, and of Mrs. Schnarre being the sole legatee under it, there is no objection to the Grant deed being made out in her name. Had this fact been stated at first, an immense waste of time and correspondence would have been saved.

MADRAS,
14*th December* 1866.

(Signed) J. D. MAYNE,
Acting Advocate General.

(A true copy.)

(Signed) H. J. BROCKMAN,
Acting Government Solicitor.

1. Ordered to be submitted to Government, with the Board's request that the Title Deed, forwarded to Government with Board's Proceedings dated 20th December 1865, No. 8,195, may be sealed and returned for delivery to Mrs. Schnarre.

2. The original Will and Certificate, received with the Acting Collector's letter of 20th November 1866, will be returned to him for delivery to Mrs. Schnarre, whose receipt for them he will obtain.

No. 386. Official Memorandum from the Secretary to the Board of Revenue, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 5th January 1867, No. 7.

1. With reference to the Memorandum from the Under Secretary to Government, Revenue Department, dated 3rd January 1867, No. 3, the undersigned has the honor to inform the Secretary to Government, Revenue Department, that after a further careful search, the Title Deed, to be granted to Mrs. Schnarre, is not forthcoming in the records of the Board's Office.

2. In the enclosure forwarded with the Memorandum under reply, it is stated that the Title Deed "appears to have been returned, with other papers "relating to it, to the Secretary to the Board of Revenue, with letter from the

"Government Solicitor, dated 26th March 1866, No. 174." This is found not to be the case. Only three* enclosures were returned with that letter, although on its docket it is stated six enclosures were sent. This mistake appears to have arisen from the Clerk who endorsed the letter, counting as *four* enclosures instead of *one* the printed copy of the rules for the sale of waste lands on the Neilgherries, which is contained in four sheets.

* 1, Rules for the sale of waste lands on the Neilgherries.
2. Copy of Acting Advocate General's, Opinion.
3. Copy of Certificate granted under Act XXXII. of 1860 to Mrs. Schnarre by the Civil Judge of Ootacamund.

3. Under these circumstances, it it requested that a further search may be made for the missing document in the offices of the Government Solicitor and Advocate General.

No. 387. Official Memorandum from the Acting Advocate General, to the Under Secretary to Government, in the Revenue Department, Fort Saint George, dated 11th January 1867.

Search has been made for the paper called for in the Under Secretary's Memorandum, No. 5, dated 10th January 1867, and it is not in existence among the records of my office. All original papers received for reference are invariably returned to the office of the Government Solicitor with the opinion upon them.

No. 388. Official Memorandum from the Acting Government Solicitor, to the Under Secretary to Government, Revenue Department, Saint George, dated Madras, 15th January 1867, No. 25.

Consequent upon the receipt of the Under Secretary's Official Memorandum of the 10th instant, No. 5, Revenue Department, (with its enclosures, the Acting Government Solicitor has made a most careful search amongst the records of his office, and in all places where it would be likely to be found, for the Title Deed (in respect of the land in the District of Coimbatore purchased by the late Mr. Schnarre) referred to in the Memorandum above noted, but without success in discovering it. He has also ascertained from the Advocate General's Office that it is not to be found there.

No. 389. Proceedings of the Board of Revenue, dated 11th January 1867, No. 195.

Read the following letter from the Acting Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 7th January 1867, No. 4.

1. I have the honor to acknowledge the receipt of the Board's Proceedings of the 20th ultimo, with enclosures, viz., a Will and Certificate in favor of Mrs. Schnarre.

2. The Board will observe that the Title Deed forwarded to Government with the Board's Proceedings, dated 20th December 1865, No. 8,195, and which is now to be sealed and returned for delivery to Mrs. Schnarre, bears date October 1865, and in its present condition is of no avail for registration under the provisions of Act XX. of 1866. I therefore suggest that the date be altered to the one on which the seal of Government may be affixed to the Deed.

Proceedings of the Madras Government, Revenue Department,
19th January 1867.

3. Adverting to paragraph 2 of the Board's Proceedings of the 26th November 1866, No. 8,507, I beg to state that the existence of the Will above alluded to, was not known to this office until it was mentioned by Mrs. Schnarre in her letter to my address, dated 3rd November 1866, the only document previously forwarded by the Special Assistant Collector, Mr. Harrington, being a copy of a certificate issued by the Civil Court at Ootacamund, a copy of which was submitted to the Board with Mr. Grant's letter of the 12th March 1866, No. 64.

1. Submitted to Government, with reference to Board's Proceedings dated 20th December 1866, No. 9,052, and with the request that, in the event of this Deed being found, the date may be altered before sealing, as desired by the Acting Collector.

2. Should it be necessary to draw out a new Deed in the place of that now missing, the necessary change of date will of course be made by the Collector.

No. 390. ORDER THEREON, 19th January 1867, No. 184.

Land Revenue

The Title Deed submitted with the Board's Proceedings of 20th December 1865, No. 8,195, not being forthcoming, the Government await the submission of a fresh Deed. The Board will accordingly instruct the Collector to act on paragraph 2 of their Proceedings of 11th instant above recorded.

(Signed) W. HUDLESTON,
Secretary to Government.

Copy Pro. of Govt. Rev. Dept. No. 316. of 6 Feby, 1866.
is herewith returned

No: 709

Memorandum

The Title Deed (of the land in the Coimbatore District, purchased from Government by the late Mr. Schnarre) asked for in the Memorandum from the Registrar of the Revenue Department of Government, of yesterday's date, appears to have been returned with other papers relating to it, to the Secretary to the Board of Revenue in a letter from the Government Solicitor dated 26th March 1866. No: 174.

P. Ramasawmy Mudaly.
Chief Clerk

Govt Solrs Office
Madras 22 Dec 1866

To
The Registrar of the Government Office
Revenue Dept.

Copy Pro: of Govt Rev. Dept. No: 316. of 6 Feby 1866.
is herewith returned

Rev. 23/67.

Revenue Sect.

Con. Copy.

Rec. 28/67.

Ans. No 109 of 1/67.

No. 184. Revenue Department.

23-73-106. 54

Proceedings of the Madras Government
Under date the 19th January 1867.

Read the following papers.

Pros. of the Board of Revenue. (Here enter 20th Dec. 1866 No.)

Offg. Memd.
From the Secy. to the Bd. of Revenue (Here enter 5th January 1867 No.)

Memo:
From the Actg. Advocate General - (Here enter 4th January 1867 No.)

From Actg. Govt. Solicitor - Madras (Here enter 15th Jany. 1867 No. 25.)

Proceedings of the Board of Revenue. (Here enter 11th Jany. 1867 No. 195.)

The Title Deed submitted with the Bd's Pros. of 20 Dec. 1865 No 6195 not being forthcoming, the Govt await the submission of a fresh deed. The Bd will accordingly instruct the Collr. to act in para 2 of their Pros of 11th instant alone as ended.

Mdt. to Bd. dy. Rec. 22 Jany

Pro No: 246. 7 & 17.1.66
135-68 11-12-66

Revenue 1867 Dept.
Pro of Govt for Jany

No: 184

Pro of the Madras Govt
of 19th January 1867.

Pp. 385 to 390

38