

# Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 3160

Confidential 1047

Dated 28<sup>th</sup> July 1898

[Despatch Abstract.]

Recording the Advocate General's opinion on the question of the advisability of the Government's guaranteeing on behalf of the Vizianagaram estate interest on certain capital raised to improve the Vizagapatam Harbour

# BACK PAPERS.

| G.O. | No.                 | Department. | Date.   | G.O. | No. | Department. | Date. |
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| G.O. | 2963<br>O. No. 1042 | Secy        | 11-7-98 |      |     |             |       |

# FURTHER PAPERS.

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# Revenue (1898) Department.

CURRENT No. 5190

Count no. 58

at m  
H. M. H. H. H. } to see

Read <sup>again</sup> G.O. No. 2903 dated 11-7-98

From the Govt Solicitor  
Madras

Order - misc No 3160 d/ 28<sup>th</sup> July 1898

Recorded M 25.7.98  
Communicated to the Collr of 27/7/98

No. 291

Viriamagaram

25-7-8

(It will be noted that the Adv.  
Gen. considers (inter alia) that  
probate should be taken  
out of the will. It  
is the Mr. Bhashyam Ayyangar's  
opinion returned.

Dated 19<sup>th</sup>  
Received 25<sup>th</sup>  
Registered 25<sup>th</sup> } July 1898  
Enclosures 3

Spare copies -  
Only if Govt wants to give  
any way the Govt  
guaranteeing  
SUBJECT  
Forwarding the opinion of  
the Advocate General on  
the question of the advisability  
of the Govt's guaranteeing  
on behalf of the Viriamagaram  
estate, interest on certain  
capital raised to improve  
the Viriamagaram Harbour

Note.

The opinion, of which a copy has  
gone to Mr. Willock, and the printed copy of  
the Will will be retained here for future use.

KD.  
25/7/98

Done  
18

25/7/98



# BACK PAPERS.

| G O. | No. | Department. | Date. |
|------|-----|-------------|-------|
|      |     |             |       |

# FURTHER PAPERS.

| G.O. | No. | Department. | Date. |
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|      |     |             |       |

# Will No. 2 dated the 22nd July 1896.

Know ye all men present that I Ananda Gajapatiraj Maharajah of Vizianagaram son of His Highness Sri Vizia Rama Gajapatiraj Maharaj Manya Sultan Bahadur of Vizianagram K. C. S. I. declare this to be my last Will and Testament and I hereby make the same in full possession of all my faculties and understanding and with a view to perpetuate succession of my family.

(1) Whereas, I, the above said Ananda Gajapatiraj Maharajah of Vizianagram have at present no issue either male or female, I do hereby appoint Chitti Baboo Vizia Ramaraj and his male issue to be my legal heir, successor and representative and I do hereby bequeath to the said Chitti Baboo Vizia Ramaraj all the property, movable, immovable of the Samastanam as well as my personal property together with all rights, titles, privileges, honors and insignia of the family which I now possess or may hereafter acquire, I do make the above bequest subject to the conditions hereinafter set forth in paras 2 and 7 of this Will.

(2) I do hereby direct that the following arrangements should be first carried out by my heir, successor or representative.

(1) As much money has from time to time been taken for the Samastanam expenses from Her Highness my mother, I desire and direct, that Rs. 20,00,000/. Twenty lacs only should be given to her from the Samastanam funds.

(2) As the amount of Rs. 16,00,000/ left by His Highness my father in cash and notes which I promised to give the same viz. Sixteen lacs to my sister but used the same for Samastanam purposes, I hereby desire and direct that Rs. 16,00,000/. Sixteen lacs only be given to her from the Samastanam funds.

(3) These sums shall be in addition to and apart from the monthly pocket and other allowances to which they are otherwise entitled and to the special provisions made in this Will.

(4) If I should beget a son or a daughter, he or she shall be my legal heir and shall be entitled to all the property above described and this Will shall be null and void provided that he or she survives me.

(5) In the event of the above said Chitti Baboo Vizia Ramaraj pre-decease me or me surviving dies without being adopted or without issue male or female Her Highness my mother or my sister whichever of the two may then be living shall have full power to appoint my successor and if both be living Her Highness my mother alone shall exercise the right and after the demise of both without a successor being appointed by either of them, the Ruling Power shall select a proper boy to be my heir and successor with the permission of my gnaties.

(6) I do hereby require, direct and authorize the above said Chitti Baboo Vizia Ramaraj and his male issue or any successor that may be appointed in the several ways provided above, be his heirs and representatives shall assume my family name of "Pushavati" and style himself Meerja Raja Viziaramaraj Manya Sultan Bahadur of Vizianagram and shall be entitled to all the rights, titles, privileges, honors and insignia of the family as set forth in para.

(7) Whoever may be in possession of the Estate under the several above said contingencies, he or she shall make a proper and liberal allowance to all the other members of the family regard being had to their status; the pocket money, being not less than six (6) thousand Rupees a month in the case of Her Highness my mother, and three (3) thousand Rupees in the case of my sister and after the demise of Her Highness my mother six (6) thousand Rupees to my sister.



(8) I hereby desire, wish and direct that no part of the Estate should be alienated by mortgage or otherwise or dismembered for any purpose whatever, and it is further desired that sufficient accumulation of funds would be made and set apart to meet the Government Peishcush so that the whole Estate may remain in tact for ever and without being alienated even for the Government dues provided this accumulation shall not be prejudicial to the payment of the sums of moneys directed to be given under paras 2 and 7.

(9) I do hereby appoint the said Chitti Baboo Vizia Ramaraj to be my sole executor of this my Will.

(10) I do hereby reserve to myself the full power of cancelling revoking or modifying this Will and Testament in any manner and any time as I may deem fit.

In witness whereof, I, the said Ananda Gajapatiraj Maharajah of Vizianagram have to this my last Will set my hand this twenty-second day of July in the year 1896 A. D.

(Sd.) ANANDA GAJAPATIRAJ.

Signed by the said Ananda Gajapatiraj Maharajah of Vizianagram and acknowledged by him to be his last Will and Testament in the presence of us present at the same time and subscribed as witnesses in the presence of the said Testator and of each other:

(Sd.) ఎ. అనంతరావు.

(Sd.) చొ. రామమూర్తి.

Written by (Sd.) V. V. KRISTNAROW.

Presented 6 P. M. on the 23rd July 1896. in the Fort of Vizianagram by

(Sd.) ANANDA GAJAPATIRAJ G. C. I. E.

Execution admitted by

(Signed) ANANDA GAJAPATIRAJ.

Ananda Gajapatiraj son of His Highness Sri Viziarama Gajapatiraj Maharaj Manya Sultan Bahadur, K. C. S. I. Kshatriya, Maharajah of Vizianagram, known personally to the Sub-Registrar.

23rd. July 1896.

(Sd.) G. BHASKARAROW.  
Sub-Registrar.

Registered as No. 6 of Book III. Vol. 1 Pages 382, 383, and 384.

Fee paid Rs. 14-0-0.

24th July 1896.

(Sd.) G. BHASKARAROW.  
Sub-Registrar.

Confidential.

Opinion.

1. The minor Maharajah of Vizianagram, under the late Maharajah's Will, is universal legatee and sole executor. As things stand at present, a legal title to the estate of the late Maharajah cannot be shown. The minor cannot assent to his own legacy (see Section 115 of Act V of 1881), and thus perfect his own title, until he comes of age. The Guardian cannot assent to the legacy, and so complete the minor's title, without taking out letters of administration to the late Maharajah's Will, a step which the Guardian desires, if possible, to avoid taking. The late Maharajah appears to have undertaken to guarantee the interest on Capital to be raised in the London Market in connexion with a scheme for the improvement of Vizagapatam Harbour. The security which the Collector in his capacity of Guardian is at present in a position to offer for the payment of interest on Capital to be advanced is obviously, from a legal point of view, a defective security. In these circumstances the suggestion has been made that the payment of the interest to the parties



Confidential

No. 291

Madras 19th July 1898.

From,

Ernest Barclay

Government Solicitor,

M a d r a s.

To,

The Secretary to Government

Revenue Department

Ootacamund.

Sir,

With reference to G. O. Miscellaneous No 2903, Revenue, dated 11th July 1898, I have the honor to forward herewith the opinion of the Advocate General on the question therein referred to him

2. I have also the honor to return the two enclosures which accompanied the G. O. addressed to me

3. With reference to para 3 of the G. O. a copy of the opinion has been forwarded to the Collector direct.

I have the honor to be

Sir

Your Obedient Servant

*Ernest Barclay*

Government Solicitor.



When given for copying \_\_\_\_\_  
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When examined \_\_\_\_\_  
When signed \_\_\_\_\_

READ AGAIN G.O., No.  
189 ,

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT .. ..

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH  
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