M.R.O. 1—77,006—8-6-37.

(1) Number of pages_____

(2) Date of repair 9-7-40

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 1485 Press Mis?

36-42.

Dated 3 — 9 — 1874.

32/33

Not to be folded or roughly handled

Read the following papers :—

No. 36. From A. O. HUME, Esq., C.B., Secretary to the Government of India, Department of Revenue, Agriculture, and Commerce, to the Honorable D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Calcutta, 17th July 1874, No. 72.

Municipalities.

In acknowledging your letter, No. 1091, dated 29th ultimo, reporting on a petition from certain inhabitants of the "Karar limits" of the town of Cannanore, complaining against the recent extension of the Municipal Act to those limits, I am directed to request that, with the permission of His Excellency the Governor in Council, you will be good enough to inform the petitioners that the action taken by the Government of Madras in this matter appears to the Governor-General in Council to have been necessary, and that it is not shown that the petitioners will be injuriously affected by it.

2. I am to suggest, with regard to the reluctance shown by the Rajah of Cannanore to accept the compensation offered for the relinquishment of the petty taxes hitherto levied by him, that, if the Governor in Council sees no objection, endeavors might be made to devise some arrangement whereby the Rajah's feelings might be soothed. His objection appears to be rather to the manner of the compensation than to its amount. Perhaps if the Municipality were ordered to pay the amount annually to the Rajah (receiving, if equitable, an equivalent from Government), or if some suitable arrangement were made, the Rajah might be better satisfied. It would seem that he and his predecessors have during more than seventy years enjoyed certain privileges, and the sudden withdrawal of these would appear to demand substantial compensation, or some equivalent concessions.

No. 36-A. From SULTAN ALI RAJAH of Cannanore, to His Excellency the Governor in Council of Madras, dated Cannanore, 16th June 1874.

MOST HONORED SIR,—Deeply regarding the grievous failure in the way of being favored with a favorable reply to petition, dated 19th September last, expressive of my objections to the enforcement and execution of Municipal Statutory laws within the precincts of karar, and of the grievances, loss, and shame which we are purposely and tyrannically induced to yield to by the Commissioners in whose hands the Municipality is reposed, I respectfully solicit the kind and considerate attention of the Council to the topic alluded to in the previous petition and reiterate my prayers, fully relying on the equity and charity of the Council in their power of extirpating such inconveniences now grown to a gigantic and intolerable height from within Kararnakam.

We have been ever since the organization of karar, entered into on the 28th day of October 1796, paying the Government a quit-rent out of the amount imposed upon the tenants as a proprietary right and a trivial rent for the lands in their possession and defraying the domestic expenses with what remains after the payment of the quit-rent; and now the Government, on the reports of their subordinates in direct opposition to the provisions of karar, have introduced certain mischievous

innovations productive of sorrow, shame, and loss, utterly disregarding the position and constitution of our House, and the indigence and destitution of our tenants. The introduction and adoption of Municipal laws have greatly contributed to oust all our rights on tenants since the commencement of the current year, and the tenants object unanimously to the payment in future of even a pie, and more so they are encouraged by these laws to shrink back from observing the usual formalities and the custom of procuring our sanction, to which they have been long accustomed, in celebrating feasts and other ceremonies since the foundation of our dynasty.

2. It is decidedly an easy work and a matter of little or no difficulty to the Government to save us, for whom it is illegal and by no manner of means possible to counteract the powerful authority of Government, from the unfathomable and enormous sea of sorrow; and the ejection of the existing liability from the narrow and limited localities included in karar can hardly affect the prodigious incomes of the Government.

3. The evils emanating from the enforcement of these laws are multifarious and hurtful to our rights and interests. They shake off from our hands the power of dealing with our rights, and the possibility of collecting the amount payable to Government in virtue of the stipulations of karar. In addition to these we have again to forfeit numberless buildings and compounds for the construction of supernumerary fresh and the repair of many old roads, all aggravating the existing sorrow and loss.

4. Even if the Government were to proceed to act against the karar, or to exercise oppression and force on us, we have no alternative but to submit ourselves patiently and represent our grievances to them for consolation and redress.

5. The insolent tyrannies and enormities perpetrated *toties quoties* by the ambitious subordinate functionaries have grown intolerably wild and severer than one could endure, and if no measure the Government intend to employ to check them and chastise the tyrants to the mitigation of our afflictions, we would as one thrown in a great fire be destroyed in the inflammations of burning sorrow.

6. The Municipal rent on buildings belonging to us in the cantonment within Kararnakam amounts to Rupees 60 and odd. Then on the 8th instant came the bill-collector to attach and sell certain moveable properties in satisfaction of the aforesaid amount. We submitted to the authority of Government vested in him, and placed before him one property which would have of itself cleared the liability. But the incumbent left it untouched, and attached and conveyed a horse kept for convenience and daily exercise, unheeding all entreaties. Could this act of the bill-collector reflecting shame and sorrow on us be vindicated? I fear much that want of riding and exercise will injuriously mar my health and probably bring on disease.

7. Lastly, I wish to state that I resign myself, with submission and sorrow, to the merciful and benevolent hand of Council, embellished with the glittering ornaments of justice, equity and charity, and constituted for tranquil government of people paying allegiance to, and sheltering under, the banners of the British Sovereign, and humbly implore the Council to save me with my house from grievances, shame, and loss, releasing the tract of karar land from the Municipal jurisdiction. For this act of kindness and charity I shall, as in duty bound, ever pray.

Proceedings of the Madras Government, Financial Department,
3rd September 1874.

No. 1667.

Referred to the President of the Cannanore Municipality with reference to the complaint against the Municipal servants.

(By Order.)

FORT ST. GEORGE,
18*th July* 1874.

(Signed) A. DEC. SCOTT, Major, R.E.,
Under Secy. to Govt., P. W. D.,
for *Chief Secy. to Govt.*

No. 37. From A. MACGREGOR, Esq., President of the Municipal Commission, Cannanore, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Calicut, 29th July 1874, No. 3.

I have the honor, with reference to the petition from Sultan Ali Rajah, to forward copies of letters from the Vice-President.

2. It will be seen from this correspondence that the Rajah by concealing all other property forced the tax-collector to attach the horse, and that the Rajah refused to receive back the horse and give property valued at 100 Rupees in exchange, though the Commissioners lost no time in giving him the option of doing so.

3. It may seem incredible that a man holding the position and rank of the Rajah should tell a deliberate falsehood; but this is not the first time he has done so. He deliberately denied that he was purchasing land instead of paying his peishkush, and I then referred him to a sale at a public auction of land to his agent and the immediate subsequent transfer thereof to his (the Rajah's) wife by registered document. To this he made no reply.

4. Both the Rajah and the Beebee have refused all payment of Municipal taxes assessed on property within Karar limits, and have forced the Commissioners to distrain, and both have served the Commissioners with formal notices of civil actions on account of this distraint, being apparently determined to try at law the validity of the Government Orders.

5. Under these circumstances, it seems necessary that they should be left to their civil remedy.

From J. C. JOHNSTON, Esq., Vice-President of the Municipal Commission, Cannanore, to A. MACGREGOR, Esq., President of the Municipal Commissions, Calicut, dated Cannanore, 11th June 1874, No. 73.

A communication having been received this day from Sultan Ali Rajah, from which I gather that he has made representations to Government calculated to convey erroneous impressions as to the action taken by this Municipality concerning certain taxes due from him, I have the honor to state, in anticipation of further inquiry, that the facts are these.

2. Sultan Ali Rajah has disregarded all requisitions for taxes due by him, as well as the decision of Government duly conveyed to him of his liability for the same, and the Commissioners have been unwillingly compelled, after lengthened forbearance, to take these steps provided by law.

3. All other valuable property having been secreted from the tax-collector he was obliged to attach a horse stated to be of considerable value, no other course being open to him in the execution of his duty.

4. As an act of courtesy and consideration to the Rajah, the Commissioners lost no time in communicating to him their willingness to accept property to the value of Rupees 100 in lieu of this animal, but to this proposition he declines to accede.

5. The Rajah has been subjected to no indignity or annoyance which could possibly have been spared him, or which he has not himself caused. Any representations to the contrary are utterly unture.

From J. C. JOHNSTON, Esq., Vice-President of the Municipal Commission, Cannanore, to A. MACGREGOR, Esq., President of the Municipal Commissions, Calicut, dated Cannanore, 23rd July 1874, No. 107.

I have the honor to enclose papers from Government received this day and opened in consequence of the address being similar to that of many documents intended for this office.

2. I have already submitted (in the letter quoted in the margin), for your information, an outline of the circumstances connected with the attachment of the Rajah's horse.

Dated 11th June 1874, No. 73.

3. The statements contained in the Rajah's memorial to Government, as far as I can understand them, are, for the most part, without foundation, and some of them directly opposed to fact. With the general question of the introduction of the Act within the (so called) "Karar" limits the Commissioners are not concerned, but with reference to the Rajah personally, they are only aware that he has not ceased to obstruct its operation in every way in his power, and has been treated by them and their servants with uniform courtesy and consideration.

4. I feel obliged to add to the statements already made in my letter above quoted that the allegations contained in paragraph 4 of the memorial are directly opposed to fact, and that the tax-collector, in whom the Commissioners repose every confidence, most reluctantly attached the horse in question, and that only in absolute default of other available property, and the statement that other property was offered instead and refused by him "unheeding all entreaties" is not only untrue, but a gross calumny upon a deserving public servant. You will observe that the Commissioners, with a view to consult the Rajah's convenience, promptly offered to return the animal on very easy conditions, but the Rajah, who now complains of being deprived of its services, refused to receive it.

5. I enclose herewith (in original) a notice of action received this day from the Rajah.

No. 38. MINUTE by the Right Hon. the PRESIDENT, dated 4th August 1874.

I have never been satisfied in regard to the course which has been followed respecting Municipal taxation within the "Karar limits." On full consideration, I cannot think that the Rajah himself has any right to complain of it, or that (as would appear to be the opinion of the Government of India) he has been treated by this Government with scant courtesy, or in a manner inconsistent with a due regard to his personal feelings and position. The Order of Government of the 20th December 1871 appears to describe accurately the history and present political status of the Cannanore family; and the Rajah is, as stated in paragraph 6 of that order, "in the position (on the mainland) of an ordinary landholder and in no respect in a different footing from other landed proprietors." In offering to him then a reduction of his peishcush as compensation for the withdrawal of legal sanction for his exaction of petty taxes within the "Karar limits," we have treated him precisely as our other landholders were treated by the Government when dealing some years ago with the "Moturfa" tax. Nor can it be said that there has been anything abrupt or discourteous in the mode in which this measure has been carried into effect by the Government.

Proceedings of the Madras Government, Financial Department,
3rd September 1874.

2. It is not for the Rajah, but for the interests of the people within the "Karar limits," that I am concerned. The withdrawal of legal sanction from the "Moturfa" gave the people the power of resisting its payment by a recourse to law; but it would appear that in the cases where compensation has been refused by the Zemindars and the tax continued, they have not always done so; and I should fear that in the present case also the now illegal exactions may, in practice, be continued. But the people who still pay the "Moturfa" are at any rate in no worse condition than before the measures taken by Government for relieving them from it; whereas the people within the "Karar limits" will (if the case turns out as I apprehend it may) be paying not only their accustomed taxes, but the newly-imposed Municipal taxes also. In other words, having all along practically recognised their right to exemption from Municipal taxation, on account of their payments to the Rajah, we shall now have withdrawn that recognition, and doubled the amount of their fiscal contributions. There seems at all events no certainty that this will not be the result; and, as it is one which I should be most reluctant to bring about, I would submit as a question for consideration whether, instead of extending Municipal taxation to the Karar limits, it would not be desirable to make a grant to the Municipality (equal to the amount which we should have deducted from the Rajah's peishcush) in order to enable them to carry into effect the sanitary measures which they may consider necessary in that part of Cannanore.

(Signed) HOBART.

No. 39. MINUTE by the Hon. J. D. SIM, C.S.I., dated 19th August 1874.

The course proposed by His Lordship will not, I think, meet the case. In the first place, *all* the residents within Karar limits are not taxed by the Rajah, and further some of the taxes he levies are perfectly legal, and the payment of them would not entitle the payer to exemption from Municipal taxation. To exempt the whole population of the Karar limits because some of them are also taxed by the "Rajah" without legal warrant, would be unjust to the Municipality, and would probably lead the "Rajah" to extend his illegal exactions on the very ground of this exemption. The legal taxes—*ex. gr.*, quit-rent for lands belonging to him, and occupied by shops and houses—do not affect the question. In Madras most houseowners pay quit-rent to Government, but they are also liable to and pay Municipal taxes.

2. In the next place the concession would certainly be misunderstood by the "Rajah" and the people. It would be regarded as a victory over Government and the Municipality, and would encourage the "Rajah" in his course of disloyal opposition, which, I may remark, under a sovereign of his own race, would cost him his head!

3. I think the letter of the President of the Municipal Commission of Malabar, dated 29th July last, is quite enough to show that compromise and concession are now alike out of the question. The "Rajah" has been treated with the utmost consideration and forbearance, and must be left to take the consequences of his own perversity.

(Signed) J. D. SIM.

No. 40. MINUTE by His Excellency the COMMANDER-IN-CHIEF, dated 28th August 1874.

I am altogether in favor of applying the Towns Improvement Act to the Karar limits at Cannanore.

2. It is abundantly proved by Dr. Cornish's report, as also by that of Deputy Surgeon-General Massey, which I have received, that the health of the troops at Cannanore has been affected by the filthy state into which the Cannanore Rajah allowed that part of the town to lapse, as long as it was excluded from the operation of the Act; and on this account I trust that the orders of Government already issued may be resolutely carried out.

3. As a measure of policy I see no reason for adopting any exceptional course of treatment in favor of this Zemindar. The course recently adopted towards him has for sometime been applied to other and more worthy Zemindars. As far as I am aware history records nothing in favor of his family, and I understand the present holder of the name and estates is by no means a man of worth and enlightenment. It will, therefore, in applying the measures now under discussion, be our duty to see that the Zemindar does not oppress his tenants by a double levy of taxation—a course which no doubt has been necessary in all cases where the right to levy the Moturpha has been withdrawn and compensation paid for it.

4. It would have the worst effect were we to exempt this Zemindar from the consequences of a policy we have deliberately adopted towards others.

(Signed) FRED. P. HAINES.

No. 41. MINUTE by the Hon. W. ROBINSON, C.S.I., dated 29th August 1874.

The position taken by the Rajah of Cannanore in respect to taxation, and the operation of the Municipal law within the limits to which the Settlements of 1793 and 1796 apply, is quite untenable. The settlements in question had regard only to the Peishcush to be paid on his estate; in all other respects the position of the Rajah of Cannanore has ever been and still is that of an ordinary Malabar (*jenmi*) or Proprietor—to whose estate all laws and every condition of administration apply —and amongst them the law of 1860 (whereby *Moturfa* taxes were abolished) and the Municipal laws more recently enacted. I consider that any exceptional treatment either of the Rajah or of the residents within his estate—more especially in the face of the unfounded pretensions of the former—would have the worst effect.

2. In so far as the Rajah continues to levy cesses which are no longer recognised by the law, he is breaking the law and acting oppressively; and he is doing so on the avowed ground that he is a *quasi* independent feudatory—within whose territory the laws of this Government and other administrative measures cannot take effect. I think that under these circumstances, not only can no concession be made, but the inhabitants of the native town of Cannanore (which is within the limits in question) should be made to feel that the Government requires them to assert their lawful rights as against the Rajah, and will support them in doing so. I fear that His Excellency's proposal would have the opposite effect.

Proceedings of the Madras Government, Financial Department,
3rd September 1874.

3. At the same time I believe that the number of inhabitants against whom the Rajah can, or does now enforce illegal claims, is very small (these petitions are really put forward by the agents of the family). And I am satisfied that if the lawful action of Government already inaugurated be firmly maintained, his power to do so even in this limited manner, will cease at once.

(Signed) W. ROBINSON.

No. 42. To the Secretary to the Government of India, Department of Revenue, Agriculture, and Commerce, dated Ootacamund, 3rd September 1874, No. 1485.

In reply to your letter, No. 72, of the 17th July 1874, I am directed by His Excellency in Council to state that no practicable arrangement occurs to him whereby the feelings of the Rajah of Cannanore in the matter of the impending refusal of his tenantry hereafter to submit to his exactions can be any further considered than they have been. The Rajah has not been threatened with any "sudden withdrawal of certain privileges," but the matter has formed the subject of the most courteous negotiations, which have lasted for at least seven years. He has been repeatedly told that not only "substantial," but handsome and liberal compensation will be made to him on his ceasing to levy these cesses; but he has uniformly rejected all terms.

2. The Governor in Council apprehends that such an order as that suggested in paragraph 2 of your letter would be contrary to the provisions of the Municipal Act.

3. I am in conclusion desired to draw special attention to paragraph 6 of the Order of this Government, dated the 20th December 1871, No. 405, viz., that "on the mainland, and within what are known as the Karar limits, the Cannanore family occupy the position of an ordinary landholder. On the mainland they have no share whatever in the administration of criminal and civil justice; they are themselves amenable to the Courts of the country, and are, in no respect, on a different footing from other landed proprietors."

4. I am to enclose the Minutes of the Members of Government on the subject.

(Signed) D. F. CARMICHAEL,
Acting Chief Secretary.

Exd. J. Wright.

Govt. of Madras.

FINANCIAL.

To

THE SECRETARY TO THE
GOVERNMENT OF INDIA,
Dept. of Rev. Agri & Com.

Dated September, 3rd.

Read.

G.O., 3rd September 1874, No. 1483.

SEPTEMBER
Nos. 36—42.

Commissioners Municipality.—The Government of India informed that no practicable arrangement occurs to the Madras Government whereby the feelings of the Rajah of Cannanore in the matter of the impending refusal of his country houses to submit to his exactions can be any further considered than they have been.

P. ALCOCK
24 JUL 74
U.C.S.

9

To

His excellency the Governor in Council
of Madras

From Sultan Ali Raja of Cannanore

Most Honored Sir

Deeply regretting the grievous failure in
the way of being favoured with a favourable reply to petition
dated 19th September last expressive of my objections to the
enforcement and execution of Municipal Statutory laws within
the precincts of Karas and of the grievances, loss and shame which
we are purposelessly and tyrannically induced & guided to by
the Commissioners in whose hands the Municipality is reposed
I respectfully solicit the kind and considerate attention of
the Council to the topics alluded to in the previous petition
and reiterate my prayers fully relying on the equity and
charity of the Council in their power of extirpating such an
inconveniences now grown to a gigantic and intolerable heights
from within Karanakam

1. We have been ever since the organization of Karas
entered into on the 29th day of October 1796, paying the Govern-
ment a Quit rent out of the amount imposed upon the tenants
as a proprietory right and a trivial rent for the land with
their possession and defraying the domestic expenses with
what remains after the payment of the quit-rent, and now the
Government on the reports of their Subordinates who were
opposites to the provisions of Karas have introduced certain
mischievous innovations productive of serious shame & loss
to Family

not

utterly disregarding the position and constitution of our House and the indigence and destitution of our tenants. The introduction and adoption of Municipal laws have greatly contributed to oust all our rights as tenants since the commencement of the current year and the tenants object unanimously to the payment in future of even a pie and unless they are encouraged by these laws to shrink back from observing the usual formalities and the custom of promising our sanction to which they have been long accustomed in celebrating feasts and other ceremonies since the foundation of our dynasty.

2. It is decidedly an easy work and a matter of little or no difficulty to the Government to save us for whom it is illegal and by no manner of means possible to counteract the powerful authority of Government, from the unfathomable and enormous sea of sorrow; and the ejection of the existing liability from the narrow and limited localities included in Karar can hardly affect the prodigious incomes of the Government.

3. The evils emanating from the enforcement of these laws are multifarious and hurtful to our rights and interests. They shake off from our hands the power of dealing with our rights and the possibility of collecting the amount payable to Government in virtue of the stipulations of Karar. In addition to these we have again to forfeit numberless buildings and compounds for the construction of supernumerary posts and the repair of many old roads all aggravating the existing sorrow and loss.

4. Even if the Government were to proceed to act against the Karar or to exercise oppression and force on us we have no alternative but to submit ourselves patiently and repassed our grievances to them for consolation and redress.

5. The insolent tyrannies and enormities perpetrated by lowly petty officials by the ambitions subordinate functionaries have grown intolerably wild and severer than one could endure and if no measure the Government intend to employ to check them and chastise the tyrants to the mitigation of our afflictions we vowed as one Karar on a great fire be destroyed in the inflammations of burning sorrow.

6. The Municipal rent on buildings belonging to us in the Cantonment within Karar amounts to rupees 60 and odd. Then on the 8th instant came the Bill Collector to attach and sell certain moveable properties in satisfaction of the aforesaid amount. We submitted to the authority of Government vested in him and placed before him our property which vowed shame of itself, shame the liability. But the incumbent left it untouched and attached and conveyed a house kept for convenience and daily exercise unbecoming all cantonments. Contrary thereto vindicated. I fear much that want of riding and exercise will injuriously mar my health and probably bring on disease

Lastly I wish to state that I resign myself with submission and sorrow to the merciful and benevolent hand of Council embellished with the glittering ornaments of justice, equity and charity and constituted for tranquil government of people paying allegiance to and sheltering under the banners of the British Sovereign and humbly implore the Council to save me with my house from grievances shame and loss releasing the tracts of Karar land from the Municipal jurisdiction. For this act of kindness & charity I shall as in duty bound ever pray

16th June 1874
Cannanore

4

No 1667 of 1874.

R.A.COLE
21 JUL 74
U.C.S.

Referred to the President of the Cannanore Municipality with reference to the Complaint against the Municipal Servants.

By order

Fort St George
18th July 1874

Adel. Scott Major RE.
Under Secy To Govt. F.W.D.
for Chief Secy to Govt.

Recd 21/7/74

Transferred to the Chief Secretary to Government (Pol Dept) [illegible]
Collectorate
23 June 1874

No. 72

From A. O. HUME, Esquire, C.B.

Secretary to the Government of India,
Department of Revenue Agriculture,
~~Revenue~~ and Commerce,

To The Acting Chief Secretary to the Government of Madras

Municipalities

Calcutta dated 17th July 1874.

Sir,

In acknowledging your letter No. 1091 dated 29th ultimo, reporting on a petition from certain inhabitants of the "Karar limits" of the town of Cannanore complaining against the recent extension of the Municipal Act to those limits, I am directed to request that, with the permission of His Excellency the Governor in Council, you will be good enough to inform the petitioners that the action taken by the Government of Madras in this matter appears to the Governor General in Council to have been necessary, and that it is

not

not shown that the petitioners will be injuriously affected by it.-

2. I am to suggest, with regard to the reluctance shewn by the Rajah of Cannanore to accept the compensation offered for the relinquishment of the petty taxes hitherto levied by him, that, if the Governor in Council sees no objection, endeavours might be made to devise some arrangement whereby the Rajah's feelings might be soothed. His objection appears to be rather to the manner of the com= =pensation than to its amount. Perhaps if the Municipality were ordered to pay the amount annually to the Rajah, (receiving, if equitable, an equivalent from Government), or if some suitable arrangement were made, the Rajah might be better satisfied. It would seem that he and his predecessors have during more than 70 years, enjoyed certain privileges, and the sudden withdrawal of these would appear to demand substantial

Compensation

compensation or some equivalent concessions.-

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

R. Sturrock

Secretary to the Government of India

FINANCIAL DEPARTMENT.

Cannanore Municipality.

The course proposed by His Lordship will not, I think, meet the case. In the first place, *all* the residents within Karar limits are not taxed by the Rajah, and further some of the taxes he levies are perfectly legal, and the payment of them would not entitle the payer to exemption from Municipal taxation. To exempt the whole population of the Karar limits because some of them are also taxed by the "Rajah" without legal warrant, would be unjust to the Municipality, and would probably lead the "Rajah" to extend his illegal exactions on the very ground of this exemption. The legal taxes—*ex. gr.*, quit-rent for lands belonging to him, and occupied by shops and houses—do not affect the question. In Madras most houseowners pay quit-rent to Government, but they are also liable to and pay Municipal taxes.

2. In the next place the concession would certainly be misunderstood by the "Rajah" and the people. It would be regarded as a victory over Government and the Municipality, and would encourage the "Rajah" in his course of disloyal opposition, which, I may remark, under a sovereign of his own race, would cost him his head!

3. I think the letter of the President of the Municipal Commission of Malabar, dated 29th July last, is quite enough to show that compromise and concession are now alike out of the question. The "Rajah" has been treated with the utmost consideration and forbearance, and must be left to take the consequences of his own perversity.

19*th August* 1874.

(Signed) J. D. SIM.

No. 38.

Rec'd 9th Sept 1874
Financial Office
No. 11458
Cannanore Municipality

No. 73 Copy V Municipal Office

Cannanore 11th June 1874.

From.

The Vice President
Municipal Commission
Cannanore.

To.

The President
Cannanore Municipality
Calicut.

Sir.

A communication having been received this day from Sultan Ali Rajah from which I gather that he has made representations to Government calculated to convey erroneous impressions, as to the action taken by this Municipality concerning certain taxes due from him. I have the honor to state in anticipation of further enquiry, that the facts are these.

2. Sultan Ali Rajah has disregarded all requisitions for taxes due by him, as well as the decision of Government duly conveyed to him of his liability for the same, and the Commissioners have been unwillingly compelled after lengthened forbearance, to take these steps provided by law.

3. All other valuable property having been secreted from the Taxe Collector, he was obliged to attach a horse stated to be of considerable value, no other course being open to

to him in the execution of his duty.

4. As an act of courtesy & consideration to the Rajah the Commissioners lost no time in communicating to him their willingness to accept property to the value of Rs 100- in lieu of this Animal, but to this proposition he declines to accede.

5 The Rajah has been subjected to no indignity or annoyance which could possibly have been spared him, or which he has not himself caused, any pre-presentations to the contrary are utterly untrue.

I have &c.

(Signed) J. Crosse Johnston.
Vice President.

(True copy)

Alexander
President.

2 3

No 107 Copy

Municipal Office
Cannanore 23rd July 1874

From.

The Vice President
Municipal Commission
Cannanore.

To.

The President
Cannanore Municipality
Calicut.

Sir

1 I have the honor to enclose papers from Government, received this day and opened, in consequence of the address being similar to that of many documents intended for this Office.

2. I have already submitted (in the letter quoted in the margin) for your information, an outline of the circumstances connected with the attachment of the Rajah's horse

dated 11th June 1874. No 73.

3. The Statements contained in the Rajah's memorial to Government, as far as I can understand them, are, for the most part, without foundation and some of them directly opposed to fact. With the general question of the introduction of the Act within the (so called) "Karar" limits the Commissioners are not concerned, but with reference to the Rajah personally, they are only aware that he has not ceased to obstruct its operation in every way in his power, and has been

been treated by them and their Servants with uniform courtesy and consideration.

4 I feel obliged to add to the Statements already made in my letter above quoted, that the allegations contained in para 4 of the Memorial, are directly opposed to fact, and that the Tax Collector, in whom the Commissioners repose every confidence, most reluctantly attached the horse in question, and that only in absolute default of other available property, and the Statement that other property was offered instead and refused by him "unheeding all entreaties" is not only untrue, but a gross calumny upon a deserving public Servant. You will observe that the Commissioners, with a view to consult the Rajahs convenience, promptly offered to return the animal on every easy conditions, but the Rajah who now complains of being deprived of its services, refused to receive it.

5. I enclose herewith / in original / a Notice of action received this day from the Rajah.

I have &c.

(Signed) J. Crosse Johnston
Vice President.

(True copy.)

Secretary
President.

Municipal Presidents Office
Calicut 29th July 1874.

No 3. 29 6

From

A. Maclyregor Esqr.
President, Municipal Commission,
Cannanore.

To

The Honorable D. F. Carmichael
Actg Chief Secretary to Government
Ootacamund.

Sir,

I have the honor, with reference to the petition from Sultan Ally Rajah, to forward copies of letters from the Vice Presidents.

2. It will be seen from this correspondence that the Rajah by concealing all other property forced the tax collectors to attach the horse, and that the Rajah refused to receive back the horse and give property valued at 100 Rs in exchange though the Commissioners lost no time in giving him the option of doing so.

3. It may seem incredible that a man holding the position and rank of the Rajah should tell a deliberate falsehood, but this is not the first time he has done so.

He

In a Letter
from the Presidency
of the Commissioners
Cannanore
to the Chief Secretary
to Govt. Ootacamund
29th July 1874
No 3 —

Copies of Petition
Present enclosed
Letters. —

Recd 31st July 1874

He deliberately denied that he was purchasing land instead of paying his Peshkush, and I then referred him to a sale at a public auction of land to his agent and the immediate subsequent transfer thereof to his (the Raja's) wife by registered document. To this he made no reply.

4. Both the Rajah and the Keeper have refused all payment of municipal taxes assessed on property within their limits, and have forced the Commissioners to distrain, and both have served the Commissioners with formal notices of Civil actions on account of this distraint, being, apparently determined to try at law the validity of the Government orders.

5. Under these circumstances, it seems necessary that they should be left to their Civil remedy.

I have the honor to be,

Sir,

Your most obt. Servt

A Mansfield

President

Nº 37.

Nilgiris (1874) Report
Abstract of Proceedings
From
The President
Municipal
Commissioners' Chalta
To
The Right Honble
The Governor
in Council
Fort St. George
Dated Coonoor the 5th
January 1874
Received in Fort St.
George the 13th
January 1874
Proceedings on the
Petition from
Subbien
Rajah of Cannanore

I have never been satisfied
with regard to the exact extent
that has been allowed in respect
to the Municipal Taxation within the
"Karar limits". The full
consideration I cannot think that
the Rajah himself has any
right to complain of it, or as
would appear to the Petition
after for. If had it been
that has been treated after for. with

I then respects the position
of the Rajah of Cannanore
has ever been & still is
that of an ordinary
Malabar

Samuel courtesy, or in a manner
inconsistent with a due regard
to his position personal feelings
and position - The Order of 20th Dec 1871 appears to describe
accurately the history and political status of the Cannanore
family: and the Rajah is (as stated
in para 6 of that Order) "in the
"position of the main-land / / an
"ordinary landholder ...
"and in no respect in a different

"footing from other
"landed proprietors". In explanation of this
matter of saying to have been a reduction
of his pensions or compensation for
the abolition of the Judicial
function in criminal matters of petty
nature in the Native limits, or
have treated his precisely as our
Treaties other landholders were
dealings were treated by the for
when deciding some years ago with
the Mortgage Tax: no complaint
and that there has been any

Other respects the position
of the Rajah of Cannanore
has ever been & still is
that of an ordinary
Malabar

abrupt a discontinuance with the work
in which the measure has been
carried into effect by the Govt.

It is not for the Legislature, but for
the interests of the people within the
"Kandyan limits" that I am concerned.

The withdrawal of legal sanction
from the "Nuwarapa" for the purpose
of receiving it, proposed by
a recurrence to law: but it would
appear that in the cases where
compensation has been refused by
the Commissioners of the last customs,
they have not done so: and I should

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fear that if the present case also
the illegal exaction may, in practice,
be continued. But the people who
still pay the "Nuwarapa" can at any
rate see in no worse condition
than before the measures taken by
Govt. for relieving them in it: whereas
the people under the Kandyan Limits (with
if the case turns out as I apprehend
it may) be paying not only their
accustomed taxes, but the [illegible]
amount of municipal taxes also. In
many instances
Many words, having all along

practically recognised their right to
exemption from municipal taxation, an award of
their payments to the Royal, on shall
now have willed upon that exemption,
and doubled the amount of their
fiscal contributions. There seem at
all events no certainty that they will
be
ever will the result: and, as it is
one which I should be most reluctant
to bring about, I would submit,
as a question for consideration whether

39 12

within the municipal boundaries,
to the fullest limits, it would not
be desirable to make a grant to
the Municipality equal to the amount
which we should have deducted
from the Royalties Parliament in
a to enable them to carry out effectively
the sanitary measures which they might
that part of Commissioners.

Robert

Aug 4/73

No. 38.

S. L. 1485

91

The case has been heard by
this Court which is the first
thing to meet the case - In
the first place, all the Revi
dents within Karachi
are not taxed by the Rajah -
and further some of the taxes
he levies are perfectly legal -
and the payment of them
would not entitle the bearer
to Exemption from municipal

taxation - To expunct the
whole hopeful action of the
Karen limits he comes true th
Karen are also taxed by the "Rajah"
without legal warrant - would
be unjust to the Municipality
and would hardly lead the
"Rajah" to extend his illegal
exactions & others beyond
the Municipal Limits -

taxes - Ex: gr. Ground rents for
land belonging to him, Locus
paid by strangers & tenants - & rents of

fact the question - the Karens
must know - assent ~~to~~ to pay
Ground-rent to put that they
are also liable to pay the
Municipal taxes -

In the case contain by the
Petition - under stood by the "Rajah"
and the people - It would be
regarded as a Victory on put
of the Municipality - and
would Encourage the Rajah in

his course of his loyal & patriotic conduct which, I may remark, under a sovereign of his own race, would cost him his head!

I think the letter of the President of the Mun: Com.ⁿ of Madras. & Lg July last is quite enough to show that at Cannanore. - his & Com.ᵉ Cotton are less alike at of the Governor. The Raja has been treated with the utmost consideration & forbearance. & must be left to take the consequences of his own treasonable Ex. - I D. Scott

19. B. Jan.

Cannanore Municipality

I am altogether in favour of applying the Towns improvement Rate to the Karra limits at Cannanore -

It is abundantly proved by Dr Cowells Report, as also by that of Deputy Surgeon General Heatley which I have received, that the health of the Troops at Cannanore has been affected by the filthy state in which the Cannanore Raja allowed that part of the Town to Lapse, as long as it was excluded from the operation of the Act - and on this account I

~~Good~~ further account
I trust that the orders
of Govt already issued
may be absolutely car=
=ried out.

As a measure of
Policy I deem it reason
for adopting any ex=
=ceptional course of
treatment with in favor
of this Zemindar.
His conduct uniformly adopted
towards him has ~~been~~
for some time been
~~adopted~~ as to lead to
to often and have worthy
Zemindars - as far as
I am aware nothing
Exists ~~to~~ nothing in favor
of his family, and I am
disinclined the present holder

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of the name and Estates
is by no means a man
of ~~sense~~ and enlightenment.
I will therefore, in applying
the measure now under
discussion, be on duty
to see that the Zemindar
does not ~~as~~ escape his
due ~~as~~ proportion of
taxation by a double
levy of taxation - a
course which has doubtless
not been unexampled in
all cases where the Collr
to levy the Moturpha
has been taken and
~~a~~ no Jumabundi paid
for it.

I should hope the
best effect would be
produced on this Zemindar
from the consequences
of

Encl

Is a foreigner have
deliberately adopted
towards others —

Read F. Haines
Jr

28-8-74.

S.L. 1483

No 40.

Mate 4 to Wellington
29 Aug 74

The position taken
by the Rajah of Cannanore
in respect to taxation
and the operation of
the Municipal Laws
within the limits to
which the Settlement
of 1793 and 1796 apply,
is quite untenable. The
Settlement in question
had Regard only to the
Peshkush to be paid
on his Estate; in all
other respects the position
of the Rajahs of Cannanore
has ever been & still is
that of an ordinary
Malabar

Malabar principles in
where Estate all laws
and Every condition
of administration is
apply – And amongst
them the Law of 1860
(whereby Mutfa tenures
were abolished) and
the Municipal Laws
more recently Enacted.
I conceive that any
Exceptional treatment
Either of the Rajah or
of the Residents within
his Estate – more
Especially in the face
of the unfounded
pretensions of the
former – would have
the most Effect.

In so far as the
Rajah continues to
levy Cesses which are
not

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51 no longer recognized
by the Law, he is breaking
the Law and acting
oppressively; and he
is doing so on the avowed
ground that he is a
quasi independent
feudatory – within whose
territory the Laws of
the Government and
the Administrative
Officers cannot take
measures Cannot take
Effect. I think that
under the circumstances
not only can no concession
be made, but the
inhabitants of the Native
town of Cannanore (which
is within the limits in
question) should be
made to feel that
the Government Requires
them to assert their
lawful rights as against
the Rajah, & will support
them

Theme in doing so. I
fear that His Excellency's
proposal would have
the opposite effect.

At the same time
I believe that the
number of inhabitants
against the Rajah can
or does now Enforce
Illegal claims is very
small (these petitions
are really put forward
by the Agent of the
family) and I am
satisfied that if the
Lawful action of
Government already
inaugurated be firmly
maintained, his power
to do so even in this
limited manner will
cease at once.

29/8 W Robinson

S.L. 485

Government House.

The Draft (which I hope will be altered as I have suggested in my letter) may go forward, provided that (as I presume will be done as a result of my Despatch of Aug 4 is sent with the letter to H.E. No 1.

H 30/8

Financial Dept.

Sir,

In reply to your letter No 72 of the 17th July instant I am directed by H. E. in C. to state that no practicable arrangement occurs to him whereby the feelings of the Rajah of Cannanore in the matter of the impending refusal of his tenantry hereafter to submit to his illegal exactions can be any further considered than they have been - The Rajah has not been so far from his having been threatened into any "sudden undervaluation of certain "privileges", the matter has formed the subject of the most courteous negociations, which have lasted for at least seven years - He has been repeatedly told that not only 'substantial' but handsome & liberal compensation will be made to him, on his waiving all right to levy these cesses; but he has uniformly & doggedly rejected all terms. The remarks that "his objection appears to "be taken to the manner of the compensa "tion than to its amount" is not understood. The fact is that he objects to give up the collection of the taxes for any consideration whatever.

2. The suggestion that the Municipality shd be ordered to pay the money levied by them to the Rajah, receiving an equivalent from the State, implies an interference with the independent position of that body not sanctioned by the Act. Any open & avowedly attempt to bring the Rajah treason, the Act has at last been introduced into the House, and the Law must now take its course. J.G. 25-7-4

Ill refer inquiry
to L.O.
dated 29 Dec/71
[redacted]
& respectfully to para 6
of Victoria's address
to Parliament
Duties of the Viceroy

(11)

To Lelly Govt of Madras

"Cannanore Municipality"

Financial Department.

No. 1485.

To

The Secretary to the Government
of India,

Department of
Revt. Agriculture & Commerce

Sir,

In reply to your letter
No. 72 of the 17th July 1874,
I am directed by His Excel-
lency in Council to state
that no practicable arrangement
occurs to him whereby the
feelings of the Rajah of
Cannanore in the matter of
the impending refusal of his
tenantry hereafter to sub-
mit to his exactions can
be any further considered
than they have been. The
Rajah has not been threat-
ened with any "sudden with-
drawal of certain privileges",
but the matter has formed
the subject of the most
courteous negociations, which
have

have lasted for at least seven years. He has been repeatedly told that not only 'substantial', but handsome and liberal compensation will be made to him on his ceasing to levy these cesses; but he has uniformly rejected all terms.

2. The Governor informed apprehends that such an Order as that suggested in paragraph 2 of your letter, would be contrary to the provisions of the Municipal Act.

3. I am in conclusion desired to draw special attention to para: 6 of the Order of this Government dated the 20th December 1871, N° 405, viz: - that "on "the main land, and within "what are known as the "Karas limits, the Zamanore "family occupy the position "of an ordinary land holders. "On the main land they have

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"have no share whatever "in the administration of cri- "minal and civil justice; they "are themselves amenable to "the Courts of the country, "and are, in no respect, on "a different footing from "other landed proprietors."

Cotoscaumund
3d Septr. 1874

4- Same to enclose the Opinions of the Members of Exc - he subst-

Petn &c, Memorial Circ &c Letter 4 &c Sept 74 Minute to follow - 3d -

Petition &c to Swaby, Memorial & Letter - 10 -

25 copies to print

Minute Paper to Memorial &c
All copies to the Registrar

Jul 1874. Department.

No. 485.

To
The Secretary to the
Government of India
Department. of
Agri &c
No 36. 42.
Dated Sep. 3. 1874.

Cannanore Municipality. The Govt of India informed that no practicable arrangement occurs to the Madras Govt. whereby the feelings of the Rajah of Cannanore in the matter of the impending refusal of his tenantry thereafter to submit to his regulations can be any further considered than they have been -