

12-5-09.

Legislative (1895) Department.

ORDINARY MS.

G.O., No. 76

Dated 23rd August 1895

INDEXED.

[Despatch Abstract.]

MADRAS ACT XX OF 1865.

Informing the Muhammadan Religious Endowments Committee, Vayalpad taluk, Cuddapah District, that the amendment of --, is under the consideration of Government and that the question of the provision of funds to meet the expenses of summonses and notices to be served on witnesses with reference to the said Act, will be considered when an Amending Bill is introduced into the Legislative Council.

BACK PAPERS.

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

FURTHER PAPERS.

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

Note for the Under Secretary.

A General Provision has been made in the draft Bill recorded in S.O. 72 of 26.5.94. Please see portions marked with red ink on pages ~~30~~ 31 of the above S.O. + pages 1+4 of letter to the Govt of India No. 73 of 26.5.94, herewith put up. No special provision has been made for cases like the one referred to in the current. CRV
12/8

NOTE FOR THE Under Secretary.

Questions like these I submit
should be considered by the
Executive Dept. concerned.
I have therefore put up the
usual note, transferring
the current to the Public
Dept.

CRV
7/8

I think you are right, but
at the same time I fancy this
question was raised in the Leg. or
Public about the Hindu Temple etc.
Put them up as they are. That
the dept. concerned may be informed
of the fact. D. T. Q.

x. Put up.

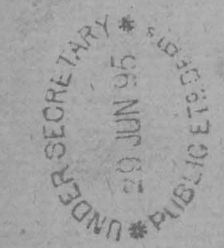
CRV
16/8.

CURRENT NO.

PETITION

736

REVENUE DEPT



His Excellency the Right Honorable the
Governor in Council. Fort St George.
Madras.

The humble petition of the
undersigned Committees
of Vayal and Valing Cuddalore

Most respectfully
your humble petitioners most
humbly and respectfully beg to bring the following
few lines into your Excellency's honorable consideration
and request that the bill meet with your
favorable consideration. The Act No. 20 of 1863
in connection with the religious endowments, which they
are and are being managed by the persons appointed
therefor such being the case it is quite necessary
to summon and notice them and other witnesses to
call the Committees to settle the matters. The
bill is silent on the subject, it is to be hoped
that the Government should be served on them
in addition to this, your humble petitioners are
anxious to see the bill passed so as to work
the religious services

notices to the parties concerned.
 (2) your humble petitioners moved the matter
 to the Advocate General Madras and the District
 Judge. The latter officer had been pleased
 to send an endorsement to the effect that the
 Committed case should go to Government on the
 subject and obtain justice.

Under these circumstances your humble
 petitioners most humbly crave your Excellency
 that their prayer may be brought into deep
 and benevolent consideration and provide
 justice on the subject matter.

your excellent most obedient
 and humble servants,

18th June 1885
 Vagelpaud

[Signature]

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURE TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MEANT FOR DESPATCH
 IN ORIGINAL.

A A A A A A A

N.B. -

A = Copy in full.
 B = Not to be copied.
 P = Copy abstract only.

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MEMO OF OBJECTIONS

TO

THE MALABAR MARRIAGE BILL.

To

*The Chief Secretary to Government of Madras
Legislative Department.*

SIR,

I beg to submit this Memo in virtue of my thirty years' connection with the Malabar coast and of my special studies and researches in Hindu Law and religion.

1. The Marumakkatayam law for women, as founders and perpetuators of families and owners of property is not confined to Malabar. Every village and town of every part of India contain families under the Marumakkatayam law. While Makkatayi girls are taught to regard the husband as God, their Marumakkatayi sisters are taught to regard God as the husband. Every Temple has one or more families registered to sing or dance to the praise of the God, and they have a higher status than those unattached. In Malabar itself the higher classes of Naryars (contracted into Nair and meaning *women*) who have eschewed meat and drink and are in the service of God are called Warriars, Nambiars and Marars. As Marumakkatayam families exist all over India, any legislation regarding them should proceed from the Government of India and not from the Local Government.

2. The agitation for legislative action does not proceed from the responsible heads (Karanavan and Tarawad Amma) of Marumakkatayam families but from junior enthusiasts living out of their homes and influenced by Makkatayam sentiment and male jealousy. The member in charge of the Bill is not an *elected* member and there is no other member in the Council to represent and defend the interests of the Marumakkatayam community. Government interference with the religious and social observances and arrangements of the people and with their household and domestic economy should always be avoided and especially when it is not demanded by a majority of the elders of the community affected.

3. The Malabar Marriage Bill does not mean a Bill to promote marriages in the District of Malabar, but purposes to make Marumakkatayi Hindus Makkatayeys concurrently and at pleasure. It means marriage without priests and religious obligations, conjugal rights at discretion with a permanent Marumakkatayam status, rights and relations amongst persons of distinct tarawads (families) and even castes, disruption of tarawads and excommunication in the case of elopements, public scandal and litigation to eschew disagreeable and unhealthy companionship, impediment to improving the fortune and status of tarawads by improved alliances &c. &c. It is in short an incongruous medley of two systems of Hindu Law, of religion and scepticism, of marriage and free love &c. &c. The British Indian Governments should not go in for such experiments, at any rate before the ruling Marumakkatayi Houses of Cochin and Travancore approve of them and take the lead. The ex-Rajahs of the Malabar country and the chief tarawads should not be discredited in their descent through a succession of refined able and independent mothers.

4. Marumakkatayam Law is co-ordinate with Makkatayam Law. The first is founded on the Truth "*Māyā-mayam idam sarvam*" called also kshetra-pradhanam (Realism) and the second on the Truth "*Brahma-mayam jagat*" called also Beeja-pradhanam (Idealism). The first is the true remedy and salvation of the thousands of both sexes of all countries or creeds, who depend for salvation on their own individual karma and on that of their heirs, their blood, and who value the right and advantage of living in celibacy whenever they choose and the second is only for those who value the religious merger and the religious services

husband and wife. In the Marumakkatayam law the woman passes from the male to the female.

mother's blood only. As Rajah Sir T. Madhava Row rightly favors the equality of the sexes, women's rights, and progress by selection; sickly and vicious children are born under stress of the Makkatayam Law, when nor the desire for progeny favors the sexual indulgence. Under Naryar Law, the anxieties of marrying girls which are now discussed in the public prints do not tarawads; nor do the scandals and crimes exist of adultery, infanticide husband-or-wife &c. &c. The Marumakkatayam Hindu who seeks a law to bind his person and proper benefit of a woman and her heirs of another tarawad is as wise, as the makkatayam Hindu who weds a woman religiously blessed to beget heirs and to observe religious duties for another man.

A. SANKARIAH

Retired Dewan Peishkar.

*16th August 1895**Submitted in compliance with Memorandum No 1895
Legislative Department dated 14th August 1895.**omit.*

No. 109, LEGISLATIVE, 26TH OCTOBER 1895.

GOVERNMENT OF MADRAS
LEGISLATIVE DEPARTMENT

READ—the following paper :—

Telegram from the Honorary Secretary, Kerala Mahajana Sabha, Calicut, to the Under Secretary to Government, Legislative Department, Madras, dated 21st October 1895.

Kerala Mahajana Sabha met yesterday Calicut. Bills Nos. 23, 24, 25 considered. Sabha respectfully prays above Bills may not be passed 4th November before allowing public to place views before Council.

ORDER—No. 109, Legislative, dated 26th October 1895.
Communicated to the Legislative Council.
(True Extract.)

L. DAVIDSON
Ag. Under Secy

To the Hon'ble Members of the Legislative Council.
G.O., No. 109, 26th October 1895.
OCTOBER.

Malabar Land Registration Bill and the Bill to limit the local extent of the Madras Rent Recovery Act.

Communicating to the Legislative Council telegram from Kerala Mahajana Sabha, Calicut, requesting that the — be not passed into law before allowing the public to place their views before the Council.

the Honorary Secretary

To go to Jockel
who shd be in the
proper form

Revise Strike off
120 copies of which
24 to be copies for signatures
CRV
18/10-

original in 1895

red