M.R.O. 1—77,000—8-6-37.

(1) Number of pages 40

(2) Date of repair 7.3.39.

(3) Initials of the Referencer 7/3/39

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No. 482 ~~Press~~ / Mis.

Dated 18-7- 1885.

Not to be folded or roughly handled

Mylapore
Madras
21st March 1884

From
Rajah Sir T. Madava Row K. C. S. I.
President – Malabar Commission
To
The Honourable E. F. Webster,
Chief Secretary to Government
Madras.

Sir,

I have the honour to inform you that the further we advance in the consideration of the question of Malabar tenures, the more do we fee impressed with the urgency of the measure proposed in my letter dated the 11th Instant, with a view to stay execution of decrees. All the members of the Commission equally apprehend that the longer the delay in passing that measure, the more injurious would it be to those interests which it is the object to pr tect. If, therefore, any further information or explanation be required from us, we sha endeavour to supply the same promptly.

I have the honour to be,
Sir,
Your most obedient Servant
T. Madava Row

Despd 22/3

My dear Sir Madava Rao

In reply to your letter of yesterday I write to say that the Legt. Council here cannot pass a bill such as that proposed in yr. letter of the 11th Inst with a view to stay Execution of decrees. The bill must be passed in the Imperial Council & a letter asking that this may be done with all despatch [illegible] is being despatched today [illegible] yesterday)

Yours very sincerely

Fredk. Webster

22/3/84

CHIEF SECRETARY
22 MAR 84
GOVERNMENT OF MADRAS

~~Petition~~ from

A Malayalam Petition

Dated 188 .

Transferred to the Chief Secretary to Government for disposal.

(By Order.)

A. Awdry. Major ~~Captain~~, R.E.,
Private Secretary.

Government House,
Madras.
15th December 1884.

enactment for staying evictions, but apparently the Chief Justice is averse to support & averse to oppose it, until the larger questions have been considered. The delay is tending — there can be little if any doubt of it — to make Malabar inflammable. This is the fourth year since the question of Malabar tenures was taken up, & except for long & elaborate counter-reports by authorities, it is now much as it was in ~~the~~ January, 1881 — All this time, Malabar has been growing hotter & hotter

May we not urge the H. Court to expedite their ~~transmission~~ [illegible]

No. 4559

Public

(188) DEPARTMENT.

From

THE PRIVATE SECRETARY
TO THE RIGHT HON. THE GOVERNOR,

To

THE CHIEF SECRETARY TO GOVERNMENT,
DEPARTMENT.

Dated 15th } December 1884
Recd. 1[illegible] }

ENCLOSURE.

No. ______

Subject.

Transfers a pe~~tition from~~ Malayalam petition

& translation within

Yes

P.C.

For orders.
The High Court have been urged once & again to express an opinion on the [illegible]

The petition [illegible] appears
to be anonymous and may be
lodged.

Abstract. 1

The Petitioners state that the Jenmis of the place used to oppress them very much, but ~~that this oppress~~ has become very severe since Mr. Logan's appointment as Special Commr. The Jenmis being afraid of some enactment shortly to be passed try to recover all their lands now in the possession of poor tenants. On account of ~~such~~ the hardships resulting from th some have committed suicide ~~and~~ while others are prepared to do so.

The Petitioners therefore pray ~~that some~~ immediate steps may be taken to check the action of the Jenmis.

(A true translation)

P.J.J.
2/1

Poll. ~~(1884) Deposit~~

CURRENT No. 988

truly in this petition, the jenmies suspect that their time is short and are making the most of it.

Submitted that a telegram be sent to the Collector requiring them to give their opinion on the ~~[illegible]~~ Malabar Stay of Execution Bill sent to them on the 8th July last.

JW

Telegram despatched 10/9/84.

Original petition sent with D.O. to Mr Logan on 28/12/85

From

O. Madava Menon

P. Ramanmenon

And 24 others of

Walluvanad taluk

Malabar District

No.

Not *Dated*

Received 2d Sept 84

Enclosures

SUBJECT.

Complaint against jenmies.

For orders. There is probab

Sept 11th 1884

Dear Mr Webster.

I thought it better to delay answering the reference on the Malabar Stay of Execution Bill till our note on the report of the Commission was ready. It seems unreasonable to pass such a bill until the govt has arrived at some conclusion as to what direction the alteration of the law should take. The proposals of the bill I can show go far beyond the

the alleged necessity for it -
& I cannot believe the Govt would
risk the feeling that would be
excited by the prohibition to
enforce rights already judicially
declared unless far more serious
reasons could be adduced
than are disclosed in Mr
Logan's report or in the
Statement of Objects & Reasons

You may remember that the
Salem riots had their origin in
the impatience of the Hindus
at being deprived of the enjoyment
of rights they had established
in a Civil Court.

I will send you the Commi-
ssion on the Stay of Execution
Bill in a day or two as I
gather from your telegram that
you prefer we should wait
till our opinion on
the Malabar Commissn
Report is ready

Yours v. faithfully
C. Turner

P.&A. (1884)

D.O. No.

From
The Hon Sir C.A. Turner
Kt. C.I.E.

I presume it will be sufficient if I acknowledge with thanks the receipt of this letter & add that the Govt. await the views of the High Court on the Stay of Execution Bill

E.F.W.
12/9/84

Yes
12/9

Replied D.O. 23/9/84

Ootacamund
23rd Sept. 1884.

Dear Sir Charles Turner,

I am to acknowledge with thanks, the receipt of your D.O. of the 11th inst, and to say that the Government await the views of the High Court on the Stay of Execution Bill.

Yours sincerely
Sd/ Forster Webster.

The Hon'ble
Sir C.A. Turner Kt. C.I.E. }

Despd
23/9/84

No 10

Govt. Office
10: January 1885.

My dear Logan,

The Govt. have received several petitions lately asking for the immediate Enforcement of the Stay of Execution Bill in your district, but it is impossible to do anything in the way of legislation in this direction till the Govt. are placed in possession of the views of the High Court on the subject, and even then much cannot be done till the approval of the Govt. of India and Secy. of State has been obtained to the proposed change in the Existing law. It will be well for you to let this be understood by your people.

Yours Sincy

Sd/ Forster Webster

P.S.

Your Communications in re Mopla outrages are now before the Govt.

(Intd.) F.W.

Fort Saint George
14 January 188

Dear Sir Charles Turner,

In sending you the
accompanying petition
to be kindly returned –
I am to say that the Go
will be very glad if the
High Court can expedite
submission of their
report on the Stay of
Execution bill –

Yours sincerely
Sd/ Foster Webster

The Hon'ble
Sir C. A. Turner Kt. C.I.E.
Chief Justice.

Despd
14/1/85

not be said of any other district in the Presidency. And, finally, it is extremely doubtful if a general law for the Presidency on this subject would be any less difficult of application in Malabar than the various Rent Regulations and Act, heretofore and at present in forces which no Collector of Malabar has yet had the temerity to administer in that district. Malabar has retained to the present hour its own peculiar land customs. Elsewhere the Muhammadan invasion and long terms of oppression before the British occupation have pretty nearly destroyed them.

23. I would accept sections 15 to 20 of the draft Act under such circumstances, only if no more final settlement, such as I believe my alternative scheme presents, commends itself to the Government.

(Signed) W. LOGAN.

23rd July, 1884.

For the complete note
vide pp 12 to 203
of the printed "Malabar
Land Tenures" file

Fort Saint George.
28th January 1885

Dear Logan,

With reference to your d.o. of the 14th instant, I send you two petitions, in original, relating to the complaints against the janmis - a third is with the High Court.

Yours sincerely
A. J. Forster Webster

W. Logan, Esq
with two petitions } Despd
28/1/85 —

Fort St. George.
9th March 1885

Dear Sir Charles Turner,

His Excellency the Governor desires me to ask if the Government may hope to receive an expression of your opinion on the proposed legislation for Malabar before you leave the Presidency - I need hardly add that H.E. in Council would attach the greatest possible weight to your views on this very important subject.

Yours sincerely
Sd/ Forster Webster

The Hon'ble
Sir C. A. Turner Kt. &c. &c. } Despd
9.3.

Fort St. George
4 Feby 1885

My dear Goodrich,

After receiving your do. of the 12 Jany, a reminder from the Government of India about the Janmi bill came in. A telegram was sent in reply on the 20th ultimo, stating that the High Court were asked for their opinion on the bill on the 26 June last - Government have not yet received their report, and pending its receipt they do not intend to take any action.

Yours sincerely

E. J. Forster Webster

The Hon'ble Goodrich
Park St - Calcutta }

CURRENT NO. 669

REVENUE SECRETARIAT.

29

OFFICE NOTE.

Station Ootacamund date 5th July 1885.

From The Revenue Secretary

To The Chief Secretary

The undersigned is directed by The Honorable Mr. Sullivan to enquire whether as stated in Board's Proceedings 5th June 1885 No. 1636 the Board of Revenue have never been asked for an expression of their opinion on Mr. Logan's Report on Malabar Land Tenures.

W. Wilson

A. Secy to Govt.

Mr. Holloway C.S.I.

[illegible]

Note for the Chief Secretary

It will be seen from the above that though the Board have been furnished with copies of the reports they have not been formally called on for an expression of opinion.

A. S.
10/7/[illegible]

No. 1263.

Forward to the Secy to Govt. Rev. Dept. with reference to this office note of the 6th inst. E. F. Webster
10/7/[illegible]

Submitted to the Hon. Mr. Sullivan in reference to an query on the accompanying papers C. N. 2631 & 2812
[illegible]
10/7/[illegible]

Schedule [illegible]

Note for the C.A. –

Under instructions, a complete set (3 Vols) of Mr Logan's report, with subsequent correspondence was sent to the Board of Revenue. [illegible] opinions were asked for.

marked with tape

The only officers whose opinions were asked were.

Sir Madhava Rao K.C.S.I.
Hon A. Seshiah Sastri
Mr Wigram
Mr Ballard.
Sir W. Robinson K.C.S.I.
Mr MacGregor

Mr Krishna Menon
Sub Judge, Mangalore
Mr Kunhi Raman Nayar
Puisne Judge Sadr Court
Travancore
Mr Sankara Menon
[illegible] Tahsil
[illegible]

Mr Hutchins

P.T.O.

33

Office note regarding officers whose opinions were asked about Mr Logan's report

No 1263.

Forwarded to the Secretary to Govt Reve Dept with reference to his office note of 6th instant.

10 July 85

[illegible] 221. 24/11/85
[illegible] 2 – 2 – 0 – 13 91
[illegible] 12 Oct. 02 [illegible]
[illegible] 12 [illegible] 02 [illegible]

Office note
No. 1263
10 July /85

CURRENT NO. 619

REVENUE SECRETARIAT.

OFFICE NOTE.

Station Ootacamund date 15th July 1885.

From The Revenue Secretary

To The Chief Secretary

With reference to the Chief Secretary's office note of the 10th current, No. 1263, which was submitted to the Honorable Mr. Sullivan with reference to his enquiry, the undersigned has the honor to append copy of the remarks passed by the Honorable member thereon.

"It was certainly a grave omission not to ask for the opinion of the Board on so important a question. The mistake should be at once rectified and the Board informed that when the report (Mr. Logan's) on Malabar Tenure was forwarded to them, it was by an oversight that they were not asked for an expression of their opinion."

W. Wilson

Subj (G.O. 18 July 85 Rev No. 482, Rev

116 P

37

Board of Revenue, 5th June 1885, No. 1636.

PROCEEDINGS OF THE BOARD OF REVENUE.

Read—the following letter from W. LOGAN, Esq., Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 13th May 1885, No. 2030:—

Referring to the last sentence in paragraph 3 of G.O., Revenue Department, No. 351, dated 23rd March 1885, I have the honor to submit that this district has special claims to consideration for early survey and settlement.

2. The district is, and has been these last twelve years, in a disturbed state. I have already in my Land Tenures Report expressed a decided opinion that the agrarian question is at the root of the discontent which exists. The settled cultivators ryots are liable to constant ejectments from their holdings, and rates of rent formerly low by force of custom are now rapidly on the rise by force of contract.

3. Some decision ought soon to be come to in regard to the policy of Government in this matter, and whatever that policy may be, it is obvious that we shall require a detailed survey to give us the materials essential for satisfactorily disposing of the questions likely to arise.

4. Other districts with no such questions requiring an early decision might well wait until Malabar is fully surveyed. The two survey parties ought, I think, to be thrown into this district instead of into Tanjore, where things are in a quiescent state.

Resolution—dated 5th June 1885, No. 1636.

Submitted to Government.

2. Mr. Logan bases the special claims of Malabar to early survey and settlement on the ground of long existing agrarian discontent arising from the system of land tenures in force in the district, but as the Board have never been called on by Government for an expression of their opinion on the views of Mr. Logan, as put forward in his report on Malabar Land Tenures, they do not feel at liberty to give an opinion on the matter now. They consider, however, that on other grounds, Malabar has preferable claims, if not to Tanjore, certainly to Bellary and Anantapur, to be surveyed, and that if the Government consider the survey of the first-named district politically expedient, it would be better to throw three survey parties into it and get the work finished in five years, than to run any risks by deferring the work till the Tanjore survey is over.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Collector of Malabar.
,, ,, Superintendent of Madras Survey.
,, ,, Director of Revenue Settlement and Agriculture.

Exd. A. Raitt.

REVENUE DEPARTMENT.

1885.

Board of Revenue,

MADRAS.

Printed June 13th.

Proceedings, 5th June 1885, *No.* 1636.

Submitting to Government, with remarks, letter from the Collector of Malabar regarding the special claims of the district to consideration for early *survey and settlement.*

Political Department

Read Proceedings of the Board of Revenue No 1636 d/5th June 1885 received thro' the Revenue Dept.

Order 18 July 1885 - 482 Mis

It is observed that copies of the complete correspondence on the subject of the Malabar Land Tenures were sent to the Board of Revenue in October 1884. It was by an oversight that the opinion of the Board on Mr. Logan's views was not requested at the time. The Government now desire to be furnished, as early as practicable, with such remarks as the Board may have to offer.

F.W. 17/7

The Board of Revenue
" Rev. Dept.

5/8/85

27-7-11 B.N.

18-10-15

27-6-20

Pall

DISPOSED OF
No. 482 (Dam)
Date 18/7/35