Revenue Department.

Minutes of Consultation

27th July 1858.

Book Nos 3—5.

Order Nos 1008 & 1009 dt 21st July 1858.

பாதுகாப்பு பிரிவு-1

செப்பளிடுபவரி பெயரி: ரா. அவாமி வேல்

செப்பளிடுவதற்காக எடுத்துக்- 8/2008 11/2008
கொடுக்கப்பட்ட நாளி

24/11/08
சரிபார்க்கும்
முதல் முறியாள
கையொப்பம்

சரிபார்க்கும்
2ம் முறியாள
கையொப்பம்

தராம்சி
உரியாளரி
கையொப்பம்

No. 3. Read the following letter from J. D. SIM, Esq., Sub-Secretary to the Court of Wards; to W. H. BAYLEY, Esq., Acting Secretary to Government, R. D., dated Fort St. George; 3rd July 1858, No. 2298.

SIR,

Ext. Mins. Cons. 8th August in Cons. 5th Oct. 1857, *R. D.*, 795, *R. D.*

I am directed by the Court of Wards to furnish the information required by the Government of India, regarding the working and acceptableness to those concerned and their relatives as well as to the people at large of Act XXI. of 1855, passed "for making better provision for the education of male minors and the marriage of male and female minors, subject to the superintendence of the Court of Wards," in this Presidency.

2. In 11 Districts the Act has not yet been brought into operation at all, owing to there being no minors under the Court's charge.

3. In Ganjam, Rajahmundry, Masulipatam, Tanjore, Coimbatore and Madura, the Act has been applied so far only as to provide education for male minors within the districts in which their estates are situated. Three minors in Tanjore attend the Government Provincial School at Combaconum. In Madura the only two Wards under the Court's care have a private tutor, Mr. Fletcher, near whom they reside.

4. In Tinnevelly only has it been found necessary to arrange for the education of minors beyond their districts. Two youths are now being removed from thence to Combaconum for this purpose. Their relatives, as Government are aware, have raised some opposition to the measure.

5. Two minors belonging to Chingleput attend the Presidency College, as they reside in Madras.

6. It will be seen from the above that the Act in question has only been partially brought into operation, but there can be no doubt that it has worked well so far as it has been tried.

7. As to its acceptability the Court doubt whether the people are yet sufficiently advanced to appreciate its merits. The minor Proprietors rarely evince any inclination for study, and would of course prefer remaining on their Estates, where they meet with every indulgence from their relatives and dependents.

8. The relations of the minors are naturally averse to their removal, and the Board regret to add that the influence especially of female relatives, forms the greatest difficulty they experience in the education, moral as well as mental, of their Wards.

9. The servants and dependents of the minor proprietors of course regard their education as the ruin of their own influence and gains.

10. The people at large are generally perfectly indifferent to the Act, and probably few know more of it than the fact of its existence.

11. The Court have no doubt that, as education advances, the benevolent objects of the Act will be fully appreciated by the people generally. In some localities, as for instance the Hill tracts of Ganjam, due regard must be paid at first to the prejudices and feelings of the people, but nothing has yet occurred to warrant a relaxation of the provisions of the Act. On the contrary, the Court conceive that the powers which it confers are absolutely necessary to enable Government to perform the duties of its self-assumed position of guardian of minor proprietors. The mere circumstance of the Act being somewhat in advance of the appreciation of those it concerns, affords no ground for the neglect or postponement of a clear duty, which Government owes alike to itself, its Wards and the people dependent on them.

12. Extracts from some of the Collectors' letters on this subject accompany this communication.

From Ganjam 15*th December* 1857 *in Con.* 5*th January* 1858, *paras.* 6, 7, 8.
From Vizagapatam 24*th in Con.* 5*th December* 1857; *end of para.* 5.
From Rajahmundry 11*th in Con.* 24*th December* 1857, *para.* 3.
From Madura 2*d in Con.* 9*th November* 1857, *para.* 6.

13. No occasion has yet arisen for the exercise of the powers granted by the Act for the prevention of objectionable marriages of minors.

14. The Court have already replied to para. 2 of the Extract Minutes Consultation, 8th August last, No. 795, R. D.

To Government 24th December 1857.
In Consultation 5th October 1857.

Extract from a letter from the Acting Collector of Ganjam, to the Secretary to the Court of Wards; dated 15th December 1857, No. 180.

* * *

Para. 6. The Act in question is a most admirable one, and will I feel sure be most beneficial but it is hard to make natives understand this, and I believe I am fully justified in saying that were it fully carried out and a minor Zemindar removed to Madras it would give rise to universal discontent and would be met at least by passive resistance.

7. The Oriya Zemindars are without exception proud, ignorant and biggotted; they never, if they can avoid it, leave their own estates, and have but one wish to do as their fathers did and keep up a horde of retainers, flags and flutes; they are in the hands of clever brahmins whose great object is to prevent their learning any thing or managing their own affairs; the idea that a minor should be well educated is of course most distasteful to this class, and their powerful interest with the Zemindars and with the people would all be brought into play; the most unfounded stories would be propagated and believed and the worst and most improbable designs would be attributed to Government were the boys to be removed to Madras; no one would believe that an Act of the sort was solely for the benefit of the minor and of the property coming to him.

8. I very much lament all this; for, it is sad to see men, who from their place and position might so influence their people for good, throwing all their weight into the opposite scale, resisting the introduction of vaccination, tiled houses, in fact of every innovation on the customs of their forefathers, but we must be careful how we force reforms on those not ready for them, and endeavour to gain our point by leading them as children, not driving them as animals.

* * *

Extract from a letter from the Collector of Vizagapatam, to the Secretary to the Board of Revenue; dated 24th November 1857 No. 156.

* * *

Para. 5. * * * The provisions of the Act in question cannot fail to be acceptable to those whom it immediately affects, and whose interests it is intended to meet, in my belief therefore, the general public must also share in this feeling of satisfaction at an enactment against which I am not aware that any reasonable objection could possibly be raised, at all events it is not within my knowledge that any has been either experienced or evinced in any quarter.

* * *

Extract from a letter from the Collector of Rajahmundry, to the Acting Secretary to the Board of Revenue; dated 11th December 1857.

* * *

Para. 3. In my letter to the late Commissioner of date the 15th December 1854, I stated that I thought it very desirable that the minor should be removed beyond local influences, and I think it is to be regretted that the plan, which then appeared to be in contemplation, was not carried out; and the Ward sent to the Presidency. I think it very advisable that both the boys should now be so sent. The measure would not perhaps be acceptable to the Youths themselves just at first, but I believe they would soon become reconciled to the change, and the advantage they would derive from it can hardly I think be overrated. Their relations, most of them being those from whose influence it is desirable for the present to remove the youths, are of course not

likely to approve of the arrangement; I doubt much if the people at large would give a thought to the matter one way or the other.

* * *

Extract from a letter from the Sub-Collector in charge of Madura, to the Secretary to the Court of Wards dated 2nd November 1857, No. 234.

* * *

Para. 6. The minor of Ayacoody is a boy of more intelligence and has profited as much under Mr. Fletcher's care as perhaps could reasonably be expected. He will I doubt not eventually afford a favorable specimen of the working of the Act in regard to which my opinion is decidedly favorable. Any short coming in the case of the minor of Shevagungah being attributable not to defects in the Act, but to its not being fully *worked*.

* * *

(True Extracts.)

(Signed) J. D. SIM, *Sub-Secretary.*

No. 4. ORDER THEREON, No. 1008; dated 21st July 1858.

Ordered that the foregoing Proceedings of the Court of Wards, in which the Government fully concur, be communicated with copies of the enclosures to the Government of India, with reference to their letter dated 17th July 1857, No. 1356.

(Signed) T. PYCROFT,
Chief Secretary.

Ordered in consequence that the following letter be despatched.

No. 5. From T. PYCROFT, Esq., Chief Secretary to the Government of Fort St. George; to CECIL BEADON, Esq., Secretary to the Government of India; dated 21st July 1858, No. 1009.

SIR,

In reply to your letter of the 17th July 1857, No. 1356, I am directed by this Government to communicate for the information of the Government of India, the accompanying letter from the Court of Wards of this Presidency, dated 3d July 1858, No. 2298, with extracts from letters of certain Collectors, reporting on the working of Act XXI. of 1855, which makes better provision for the education, marriage, &c., of male and female minors.

2. It will be observed that the Act has only been partially brought into operation in eight Districts of this Presidency, viz. Ganjam, Rajahmundry, Masulipatam, Tanjore, Coimbatore, Madura, Tinnevelly and Chingleput, (where alone there are minors under Wardship) and to the extent only of providing education for the male minors; no occasion having yet arisen for the exercise of the powers for the prevention of objectionable marriages. In Tanjore, three minors attend the Government School at Combaconum. At Madura, two are under Mr. Fletcher, a private tutor. Two from Tinnevelly are being sent to Combaconum; and two belonging to Chingleput attend the Presidency College, being residents in Madras. The Act is said to have worked well as far as it has been tried; though the Court think that as far as the people are concerned, probably few know of its existence, while none are sufficiently advanced to appreciate its merits. The Court however feel no doubt that as education advances the benevolent objects of the Act will be fully appreciated by the people generally.

3. As to the minors themselves, they are said to be naturally averse to study preferring to remain at home, in the enjoyment of indulgences accorded by their relatives and dependents. The Court deprecate the influence especially of the female relatives of the minors, which they say forms the greatest difficulty in the mental and moral education of the Wards; but see nothing, as regards the prejudices and feelings of the people, to warrant any relaxation of the provisions of the Act, or to relinquish the duties of guardianship which the Government have assumed, simply because the Act is apparently somewhat in advance of the times.

4. I am desired to communicate the entire concurrence of this Government in the views thus expressed by the Court of Wards.

No. 1198.

From J. D. SIM, Esq., *Sub Secretary to the Court of Wards.*

To W. H. BAYLEY, Esq., *Acting Secretary to Government, R. D.*

Sir,

R. M. C. 8th Augt. in con. 5th Oct. 1857, R. D., 795, R. D.

I am directed by the Court of Wards to furnish the information required by the Government of India regarding the working and acceptableness to those concerned and their relatives as well as to the people at large of Act XXI. of 1855, passed "for making better provision for the education of male minors and the marriage of male and female minors, subject to the superintendance of the Court of Wards," in this Presidency.

2. In 11 Districts the Act has not yet been brought into operation at all, owing to their being no minors under the Court's charge.

3. In Ganjam, Rajahmundry, Masulipatam, Tanjore, Coimbatore and Madura, the Act has been applied so far only as to provide education for male minors within the districts in which their estates are situated. Three minors in Tanjore attend the Government Provincial School at Combaconum. In Madura the only two Wards under the Court's care have a private tutor, Mr. Fletcher, near whom they reside.

4. In Tinnevelly only has it been found necessary to arrange for the education of minors beyond their districts. Two youths are now being removed from thence to Combaconum for this purpose. Their relatives, as Government are aware, have raised some opposition to the measure.

5. Two minors belonging to Chingleput attend the Presidency College, as they reside in Madras.

6. It will be seen from the above that the Act in question has only been partially brought into operation, but there can be no doubt that it has worked well so far as it has been tried.

7. As to its acceptability the Court doubt whether the people are yet sufficiently advanced to appreciate its merits. The minor Proprietors, [illegible] any inducement to [illegible] would of course prefer remaining on their Estates, where they meet with every indulgence from their relatives and dependents.

8. The relations of the minors are naturally averse to their removal, and the Board regret to add that the influence especially of female relatives, forms the greatest difficulty they experience in the education, moral as well as mental, of their Wards.

9. The servants and dependents of the minor proprietors of course regard their education as the ruin of their own influence and gains.

10. The people at large are generally perfectly indifferent to the Act, and probably few know more of it than the fact of its existence.

11. The Court have no doubt that, as education advances, the benevolent objects of the Act will be fully appreciated by the people generally. In some localities, as for instance the Hill tracts of Ganjam, due regard must be paid at first to the prejudices and feelings of the people, but nothing has yet occurred to warrant a relaxation of the provisions of the Act. On the contrary the Court conceive that the powers which it confers are absolutely necessary to enable Government to perform the duties of its self-assumed position of guardian of minor proprietors. The mere circumstance of the Act being somewhat in advance of the appreciation of those it concerns, affords no ground for the neglect or postponement of a clear duty, which Government owes alike to itself, its Wards and the people dependent on them.

From Ganjam 15th December 1857 in Con. 5th January 1858, paras 6, 7, 8.
From Vizagapatam 24th in Con. 5th December 1857; end of para 5.
From Rajahmundry 11th in Con. 24th December 1857, para 3.
From Madura 23 in Con. 9th November 1857, para 6.

12. Extracts from some of the Collectors' letters on this subject accompany this communication.

13. No occasion has yet arisen for the exercise of the powers granted by the Act for the prevention of objectionable marriages of minors.

To Govt. 24th Decr. 1857.
In Con. 5th Octr. 1857.

14. The Court have already replied to para 2 of the Extract Minutes in Consultation, 8th August last, No. 795, R. D.

REVENUE BOARD OFFICE,
Fort Saint George,
3d July 1858.

I have the honor to be,
Sir,
Your most obedient servant,

Sub Secretary.

Copy to all Collectors.

Revenue Dept.

No. 1009

To

Cecil Beadon Esqre

Secretary, Govt of India,

5/9
1008-9

Sir,

In reply to ym letter of the 17th July 1857, No 1356, I am directed by the Govt to communicate for the information of the Govt of India, the accompanying letter from the Court of Wards of the Presidency, dated 3d July 1858, No 2298, with extracts from letters of certain Collrs, reporting on the working of Act XXI of 1855, which makes better provision for the education ~~of minors~~, & the marriage &c, of male and female minors.

2. It will be observed that the Act has only been partially brought into operation in eight Districts of the Presidency, viz Sarjapore

Rajahmundry, Masulipatam,
Tanjore, Combatore, Madura,
Tinnevelly and Chingleput,
[illegible] there are minors under
wardship [illegible] to the extent only
of providing education for the
male minors; no occasion having
yet arisen for the exercise of the
powers for the prevention of viol-
-able marriages. In Tanjore,
three minors attend the Fort School
at Combaconum. At Madura, two
are under Mr. Hetches, a private
tutor. Two from Tinnevelly are being
sent to Combaconum; and two be-
longing to Chingleput attend the
Presidency College, being residents
in Madras. The Act is said to
have worked well as far as it has
been tried; but the Court think
that as far as the people are concern-
-ed, probably few know of its existence
[illegible] while it remains unrep-
-ealed, advised to appreciate its
friendly [illegible] merits. The Court however feel

6/1086

3. no doubt that as education advances, the benevolent objects of the Act will be fully appreciated by the people generally. Left to the minors themselves, they are said to be proverbially averse to study preferring to remain at home, indulging the engagements of pandulgences according to their relations and dependents. The Court deprecate the influence especially of the female relatives of the minors, which they say from the greatest difficulty in the mental and moral education of the wards; but they see nothing, as yet, the prejudices and feelings of the people, to warrant any relaxation of the provisions of the Act, or to relinquish the duties of Guardianships which the Courts have assumed, simply because the Act is apparently somewhat in advance of the times.

I am desired to commun-

nicates the entire concurrence of this Govt in the views thus expressed by the Court of Wards.

Govt of India
Working of Act XXI of 1855
Enclosing Copy minute of Sir
Wm Jervis Dated 21st July 1858

Rec'd Registered No 2021
20 July 1858. 700 76.

1/1008-9

Revenue 1858 Departmt
Dy. to Cons. 27th July

No 1009.
To the Secy to the Govt of
India.
Dated 21st July 1858

Communicating a letter from the Court of Wards of this Presidency with Extracts from letters of certain Collectors reporting on the working of Act XXI of 1855 for the Education and Marriage &c. of Male and Female Minors.

P.S.

Rec'd 13th July 11