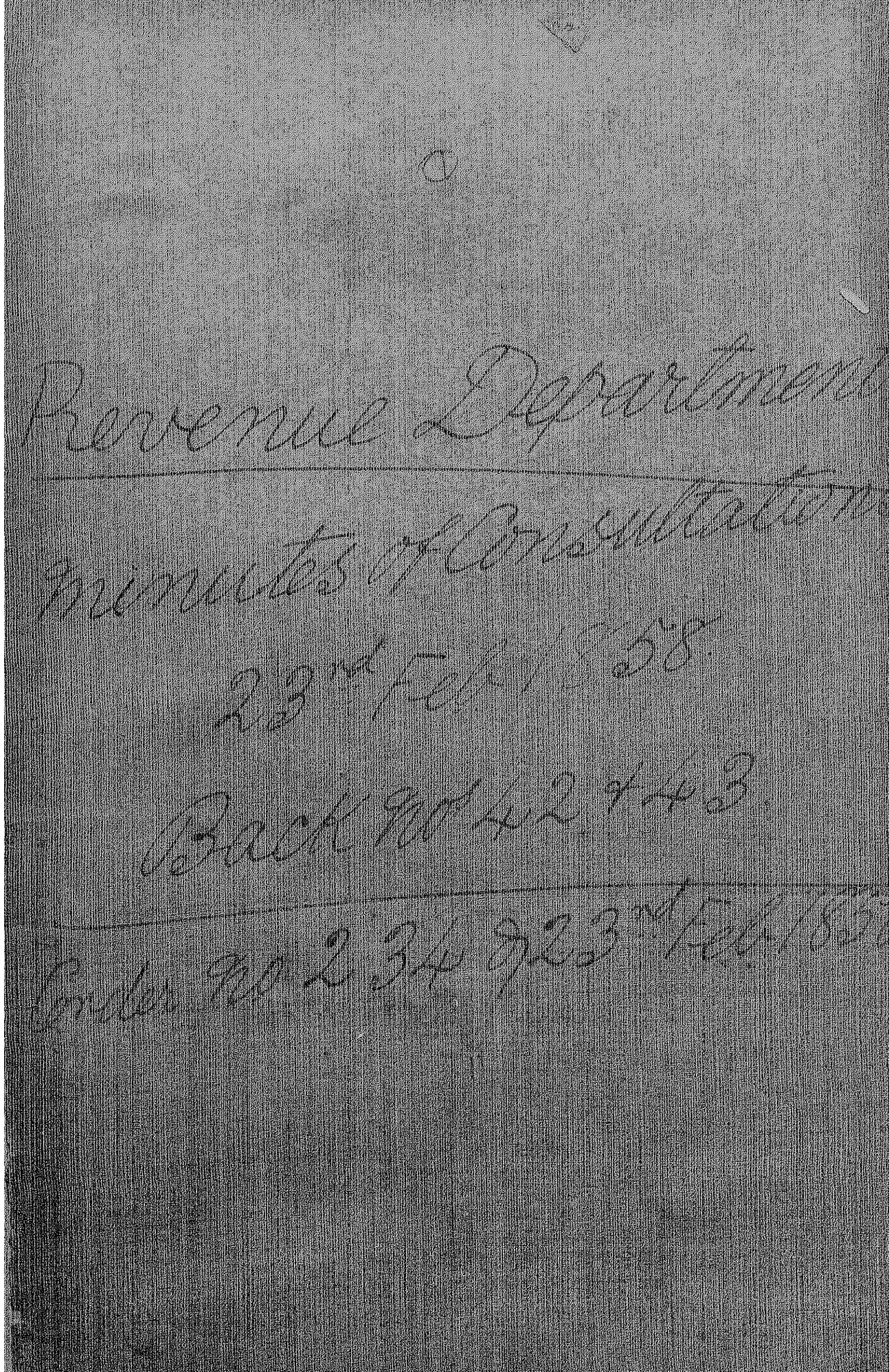


Fort Saint George, Revenue Consultation of 23d February 1858.

No. 42. Read the following Extract from the Proceedings of the Board of Revenue dated 28th January 1858, No. 459.

Read letter from the Acting Collector of Madura dated 7th December 1857* replying to Board's Proceedings of 23d November 1857.

**In Consultation 28th January 1858.*
In from Collr. 30th June in Cons. 23d Nov. 1857.

(Here enter No. 285.)

In petition No. 2299 of 1857 Soobburamaul prays that her son-in-law may be registered as one of the Superintendents of the Mungurmaul Chuttrum, in succession to her husband (deceased). From the letter above recorded it appears that her husband named Venga Chamien was not one of the regularly appointed permanent Managers, but was merely temporarily filling that post when he died. Appalavien for whom he acted held an agreement from him engaging to vacate the office whenever required to do so. The Board do not attach much weight to the argument in para. 4 as the nomination of successors to the office does not rest with the Superintendents and consequently the agreement entered into among themselves with the view of securing the office exclusively to their own descendants in the male line, could not affect any who otherwise possessed claims or might be appointed by competent authority. Enough has been stated however to make it clear that neither Soobburamaul nor her son-in-law has any claim to be recognised as one of the Managers of the Chuttrum, and the Board consider the Acting Collector has shown a proper discretion in declining to accede to the application.

2. In her petition to Government, Petitioner complains, if the Board understand her rightly, (1) that an enam 100 Cawnies in extent originally granted for the endowment of the Chuttrum above referred to is now enjoyed free of tax by the Managers who are not entitled to it, and who are otherwise remunerated for their services, and (2) that the distribution of food to the poor has been of late discontinued. In regard to the 1st of these it is necessary to state that on the acquisition of the District by the British, 10 villages forming the endowment granted by Mungurmaul an ancient Rahee to the Chuttrum, were resumed a daily allowance being granted for feeding Brahmins and a monthly allowance for the support of the Hukdars. Besides the above, 2 Kurrays or about 100 Cawnies of land were held as Sarva-Manieni by the Hukdars, and it is in respect of this land that Petitioner now complains. A similar application to that now preferred to Government was made by the Mahajuns of the village, and the late Collector on referring to the accounts and instituting enquiries on the subject was of opinion that the land in question formed a part of the Chuttrum Enam, though he thought it probable that the Hukdars were considered entitled to appropriate part of the income to their own use. Under all the circumstances, he considered it doubtful whether this land had not been intentionally left to the Hukdars in consequence of the value of the villages resumed being considerably in excess of the amount of the allowances given in compensation, and adverting to their uninterrupted possession during the whole of the Company's Government, he recommended that they should not be disturbed.

From Madura 11th February in Cons. 6th March 1851.

Melcaram Rupees 760. P. A.

3. The Managers were accordingly left in enjoyment of the Enam with an intimation that if it should ever be proved that the grant of the Enam was for the support of the Chuttrum or the charities connected with it, and that these were neglected they would lay themselves open to the forfeiture of the Enam.

4. Thus it will be seen that the property has been placed in possession, not of private individuals but, of the public guardians of the trust, who held only on condition of carrying out the objects of the original grant, viz., the keeping up the Chuttrum and the charities in connection with it. That they have abused their trust there is nothing to show, and until this be proved it does not appear necessary to make any alteration in the arrangements for conducting the affairs of the Chuttrum.

5. The Acting Collector will satisfy himself that the building is in a proper state of repair, and that the duties connected with the charity are carried out in their integrity.

6. The information afforded by the Acting Collector upon the second point, touched upon by the Petitioner does not quite meet the case. The Board request that it may be ascertained whether the distribution of food has hitherto been incumbent on the Chuttrum Managers, and whether it has been discontinued as alleged by Petitioner.

7. The Board observes that the enclosure in petition No. 2299 of 1857, is an authenticated copy of a petition to the District Moonsiff of Madura showing that the parties are, or were then, in litigation in respect to certain land styled "Choultry Maniem" but whether referring to the same land as that which forms the subject of the present correspondence, is not clear though the similarity of some of the circumstances connected with it renders this probable. This point should have been noticed by the Acting Collector. The document bears date 30th March 1854, but is not alluded to in the other petitions.

8. The Board would wish also to be informed what Maniem and money allowances are referred to in para. 4 of the late Acting Collector's letter dated 30th June 1857, as having been "allowed to Petitioner."

Ordered that copy of these Proceedings be forwarded to Government with reference to their Endorsement dated 20th March upon petition No. 541 of 1857.

(A true Extract.)

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

No. 43. ORDER THEREON, No. 234, dated 23d February 1858.

Ordered that the following endorsement be passed on Government Petition No. 541 of 1857, forwarded to the Board of Revenue for report on 20th March last.

"As the illicit enjoyment of land on the part of the managers, brought to notice in this petition, does not appear to exist, no further order on the petition seems needed."

(Signed) H. FORBES,
Acting Secretary to Government.

and consequently the agreement entered into among themselves with the view of securing the Office exclusively to their own descendants in the Male line, could not affect any who otherwise possessed claims or might be appointed by competent authority. Enough has been stated however to make it clear that neither Soobbammaal nor her son-in-law has any claim to be recognized as one of the Managers of the Chattrum, and the Board consider the Acting Collector has shown a proper discretion in declining to accede to the application.

In her petition to Government, Petitioner complains if the Board understand her rightly (1) that an Enam 100 Cawnies in extent originally granted for the Endowment of the Chattrum above referred to is now enjoyed free of tax by the Managers who are not entitled to it and who are otherwise remunerated for their services and (2) that the distribution of food to the Poor has been of late discontinued. In regard to the 1st of these it is necessary to state that on the acquisition of the District by the Dutch, 10 villages forming the

the Endowment granted by Mangammaal an ancient Ranee to the Chattrum were resumed, a daily allowance being granted for feeding Brahmins and a monthly allowance for the support of the Hukdars.

Besides the above 2 kurnays or about 100 [illegible] No. 7602 Cawnies of land were held as Sarva Maniem by the Hukdars, and it is in respect of this land that Petitioner now complains. A similar application to that now preferred to Government was made by the Mahajuns of the Village, and the late Collector on referring to the accounts and instituting enquiries on the subject was of opinion that the land in question formed a part of the Chattrum Enam, though he thought it probable that the Hukdars were considered entitled to appropriate part of the income to their own use. Under all the circumstances he considered it doubtful whether this land had not been intentionally left to the Hukdars in consequence of the value of the villages resumed being considerably in excess of the amount of the allowances given in compensation, and adverting to their

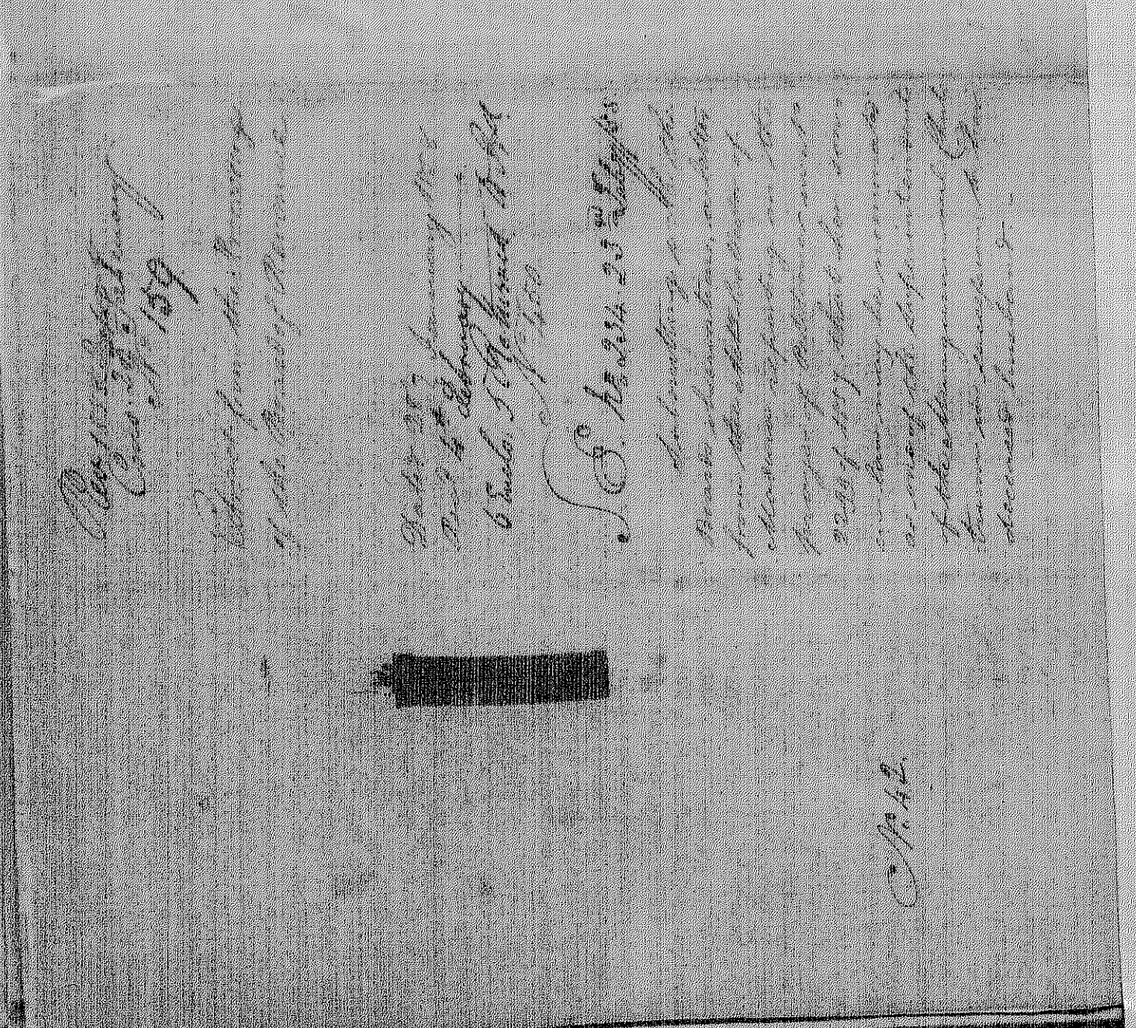
a proper state of repair and that the
Master connected with the Free Grammar
carried out in their integrity.

6. The expenses to be afforded by the
Mining Collector upon the 2nd head hereof
agreed by the Petitioner does not quite exceed
the said Sum. The Board do not think it may
be recommended to the Lords Commissioners of
Her Majesty's Treasury that the Petitioner
should be allowed the Sum of £200 per annum
for Clerk, Messenger, and Collection thereof
upon Account.

7. The Vessel whose Chief Office
is at Penzance in the District of Truro and
Port of Penzance by Law is 220 Tons Burthen
which Ship or Vessel is to be employed
in the Service of the Free Grammar
School of Penzance aforesaid and for the
Purposes thereof only and not to be
employed in the Service of the Customs
or Excise or for any other Purpose
whatsoever without the Consent of the
Governors of the said Free Grammar
School of Penzance aforesaid or the
Major part of them assembled at a
Meeting duly convened for that purpose
and that the Master of the said Vessel
for the time being shall not be
concerned directly or indirectly in
the Trade or Traffic of Fish or Coals
or any other Commodity whatsoever
in the said Vessel during the Time
he shall be Master thereof.

8. The Master of the said Vessel
for the time being shall not be
concerned directly or indirectly in
the Trade or Traffic of Fish or Coals
or any other Commodity whatsoever
in the said Vessel during the Time
he shall be Master thereof.

9. That the Master of the said Vessel
for the time being shall not be
concerned directly or indirectly in
the Trade or Traffic of Fish or Coals
or any other Commodity whatsoever
in the said Vessel during the Time
he shall be Master thereof.



Extract from the Minutes of Council

Under date the 23rd February 1858 -

Read the following report

from the Proceedings of the Board

of Revenue -

(Rec'd 23rd January 1858 Ult. 58)

Petition of [illegible]

Case 23rd February

No 2334

Extract from Proceedings

Dated 22 July 58

Informing Petitioner of Petition No 3341, that for the silent engagement of the Court on the part of the Managers of the Shengamuwadi Cheltram in Madura brought to notice does not appear Petitioner has further order on the Petition seems needed.

Appd 28 July 58