M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1029 Press ~~Mis.~~

Dated 5th August 1859.

Not to be folded or roughly handled

No. 3. Read the following letter from W. HUDLESTON, Esq., Sub-Secretary to the Board of Revenue; to J. D. BOURDILLON, Esq., Secretary to Government, R. D., dated 14th July 1859, No. 2760.

In Consultation 2d July 1859, *No.* 3186.

In reply to the Extract Minutes Consultation, dated 1st Instant, No. 863, R. D., forwarding to the Revenue Board for report an application from Mr. Fischer of Madura for the restoration of the manium lands formerly attached as endowment to a Chuttrum in the neighbourhood of Madura which he recently purchased, I am directed by the Board of Revenue to report for the information of Government that in November 1855, Mr. Parker submitted for their orders an application from Mr. Fischer to the same effect, and explained that the endowment consisted of Cawnies $\frac{64}{16}$ of Nunjah land for maintaining a water pandal. and manium land of the value of Rupees 60, for the support of the Chuttrum. The former grant was made at the time of the "Fysul" settlement and the latter by Government in 1831, under the ordinary rules then in force for endowing Chuttrums. This last grant was cancelled and the land resumed similarly under orders of Government in 1836, as the charity was not maintained by the grantee, and for a like reason the earlier grant for the support of the water pandal was resumed in 1840 by the Collector after Soobba Naik's death. It was from this person's daughter that Mr. Fischer purchased the buildings which were specially designed for the benefit of pilgrims to the Rameswaram Pagoda.

From Collector of Madura, dated 13*th Nov. in Con.* 5*th Dec.* 1855, *A. after No.* 3353.

Vide from Govt. dated 4*th Nov.* 1831, *No.* 1011, *R. D., in Con.* 7*th Nov.* 1831, *No.* 2315.

Vide E. M. C. dated 8*th July* 1836, *No.* 851, *R. D., para.* 2, *in Con.* 8*th Aug.* 1136, *No.* 1678.

2. Mr. Parker proposed that the grant for the maintenance of the water pandal, the proceeds of which were held in deposit, should be renewed in Mr. Fischer's favor, but that the manium attached to the Choultry which had been absolutely resumed, and included in the Government lands, and subsequently taken up by ryots for cultivation, should not be re-granted, as there is no *necessity* for this Choultry, such institutions being numerous in Madura, and as from its situation it is calculated to be a nuisance to the European residents.

From Collector 13*th Nov. in Con.* 5*th Dec.* 1855, *A. after No.* 3353.

3. The Board however did not consider that the nature and circumstances of the charities were such as to call for a renewal of the grants in question, and declined compliance with Mr. Fischer's requests, directing the Collector at the same time to inform him that should the building cease to be devoted to charitable purposes it would become liable to the levy of quit-rent on its site. The exact date of Mr. Fischer's purchase of the buildings is not known to the Board but it is clear that the maniums had been *previously* resumed for valid reasons, and as Mr. Fischer could not have been ignorant of the fact when he made the purchase, the Board fail to see that any *injustice* has been done to him. Nor on review of the case do they think its circumstances are such as to give Mr. Fischer good ground for claiming renewal of the former grants, but this point they leave for the decision of Government and direct me to submit the papers connected with the case (as per margin) for their further information.

5th December 1855, *No.* 3233.

From Collector of Madura, dated 13*th November in Con.* 5*th December* 1855, *No.* 3353.

To Collector dated 5*th December* 1855.

4. It will be seen that there is not the most remote similarity between this case and that of Antony Moottoo to which Mr. Fischer alludes, in which on the recommendation of the Board, Government were lately pleased to restore an Inam to the heir of the original grantee.

Proceedings of the Madras Government, Revenue Department, from 30th July to 5th August 1859.

No. 4. ORDER THEREON, 30th July 1859, No. 1029.

For the reasons stated in the third paragraph of his letter, the Governor in Council fully agrees with the Board that Mr. Fischer has no claim to the renewal of the Ináms for which he applies.

2. Mr. Fischer has fallen into an error in construing as a threat the simple intimation that the land occupied by the Chuttrum buildings would become liable to quit rent, should those buildings cease to be devoted to charitable uses.

3. A copy of this order will be sent to Mr. Fischer as a reply to his letter of the 23d June.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Revenue Departt.

Extract from the Proceedings of the Board of Revenue dated 5th December 1855.—

Read letter from the Collector of Madura dated 13th November 1855.—

In Cons: 5th Decr. 1855.

(Here enter No 212)

The Board are not of opinion that the nature and circumstances of the charity which it is proposed by Mr. Parker to support by the grant of lands (formerly applied to this purpose but presumed in 1849) are such as to call for a renewal of the Government Endowment. These presumed lands should henceforth be entered as Ayen.—

2. With reference to para: 3 of his letter, Mr. Parker will inform Mr. Fischer that should the Chouttry purchased by him, cease to be devoted to public purposes, the ground on which

which it stands will become liable
for the payment of quit rent.—

/ A true Extract /

/ Signed / G. S. Forbes.
A. Secretary

To The Collector of
Madura.—

/ A true Copy /

Sub Secretary

Revenue Depart

No. 1029

Proceedings of the Madras Government.

Under date the 30th July 1859

Read the following letter from the Board of Revenue.

Submitting the Board's report on the application of Mr Fischer of Madura for the restoration of the Manium lands formerly attached as endowment to a Chuttrum in the neighbourhood of Madura, as called for in E. M. C. dated 1st July 1859 R. D. No 863.

(Here enter 14th July/59 No. 27

For the reason stated ~~by the Board~~ in the third paragraph of this letter, the Govern in Council fully agre with the Board that Mr Fischer has no cla to the renewal of the inams for which he ap

2 Mr Fischer ha fallen into an error construi

1859 Depart.

Enclosure in a letter from the Sub Secretary to the Board of Revenue to the Secretary to Government R.D. dated 14th July 1859 No. 2700.

Copy

Board's Proceedings to Madura dated 5th December 1855 No. 3233.

R 1332/59

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d. 08th No 2760 of 1859.

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that the land occupied
by the chuttrum build-
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should those buildings
cease to be devoted
to charitable uses.

3. A copy of this order
will be sent to Mr.
Fischer as a reply to
his letter of the 23d
June.

[signature]

6 Copies to Bd of Rev
with 3 Encls
Disp. 1st
Mr G. F. Fischer
with letter Bd's

Revenue 1859 Deptt.
Pro: of Govt 5th Augt.

No 1029.

Pro: of the Madras Govt
Dy 30th July 1859.

Mr Fisher's claim
to the renewal of the Inams
formerly attached as
endowment to a Chuttrum
near Madura, rejected.

No 3 to 41