

Revenue Department

No 410

Dated 26-3-1859

By 410

Fort Saint George, Revenue Consultation of 1st April 1859.

No. 41. Read the following Extract from the Proceedings of the Board of Revenue, dated 4th March 1859, No. 417.

Read letter from Collector of Chingleput, dated 23rd December 1858, No. 388.

(In Con. 28th December 1858, No. 5856.)

Ordered that the above letter be submitted to Government with reference to Extract Minutes Consultation of 26th October 1858, No. 1446, R. D., forwarding to the Board for report a petition from the Reverend F. Xavier complaining that he has been charged Tax, for certain ground claimed by him as part of the Surva Manium endowment of the Romish Church at Ongoer.

2. From this letter, and from the Endorsement of 28th May 1857, referred to in it, copy of which will also be submitted to Government, it appears that in 1813, four Cawnies of Dry land were adjudged as the extent of the Church's Manium.

3. Subsequently in November 1850, Mr. Freese adjudged the right of occupancy to the Church authorities in the additional extent of land now claimed as Manium, but not the right to hold it rent-free, and it does not appear that Mr. Conway ever issued any such decision as Petitioner seems to rest his claim on.

4. This additional extent of land having recently been brought under cultivation was in ordinary course assessed to the Revenue, and it does not appear to the Board that the Petitioner has any good ground of complaint.

5. It is for the Government to decide whether they will increase the extent of the Church's Manium land.

(A true Extract.)

(Signed) W. HUDLESTON, *Sub-Secretary.*

No. 42.

OFFICIAL MEMORANDUM.

The Sub-Secretary to the Board of Revenue has the honor to forward to the Secretary to Government Revenue Department with reference to his Official Memo. dated 14th February last a copy of a letter from the Collector of Chingleput dated 21st February 1859, No. 39 explaining the meaning of the word "adjudged" in his endorsement on the Petition of Reverend F. Xavier.

REVENUE BOARD OFFICE,
Fort Saint George,
8th March 1859.

(By Order.)

(Signed) W. HUDLESTON, *Sub-Secretary.*

No. 43. ORDER THEREON, No. 410; dated 26th March 1859.

In these Proceedings the Board of Revenue report upon a petition from the Reverend F. Xavier, a Roman Catholic Missionary at Ongoer in Chingleput, which was referred to them in Extract Minutes of Consultation 26th October 1858, No. 1446, Revenue Department. The tenor of Mr. Xavier's complaint appears to be that tax has been charged by the Revenue Authorities upon certain land which, he says, forms the endowment of his church; the extent he claims to hold rent free is $7\frac{1}{2}$ * Cawnies, while the Collector on the other hand only admits the right of the church to four Cawnies. The Petitioner quotes in support of his claim a decision by a late Acting Collector in November 1850, which he asserts to have recognized the right of the church to the whole $7\frac{1}{2}$ Cawnies.

2. It is stated by the Collector that in 1813, the Collector of that day adjudged four Cawnies of dry land to the church rent free. That with this extent of land $3\frac{5}{8}$ more was enclosed, but was not brought under cultivation until Fusly 1264, when it was charged with the full assessment. In 1850 a dispute took place between the Mirasidars of Ongoer and the Petitioner, as to who

* *Correctly according to the Collector 7 $\frac{3}{8}$ Cawnies.*

Collector's endorsement on petition No. 555 of 1857.

Collr's. letter to Bd. para. 2.

Fort Saint George, Revenue Consultation of 1st April 1859.

was to occupy the land in excess of that allotted as the church endowment, and the Collector *Mr. Freese*, decided the *right of occupancy* in favour of the church, but made no order with reference to exempting the land from tax.

3. The Government concur with the Collector and Board of Revenue that the Petitioner's claim is quite untenable. The Collector in 1850 had no authority, even supposing him to have been willing, to issue an order to exempt productive land from assessment.

4. With respect to that original four Cawnies of land stated by the present Collector to have been "adjudged" to the church in 1813 by the Collector, the Government made a reference, through the Board, to ascertain the meaning of the expression used, and they are informed in reply that the word used in the Register prepared in 1821 was "granted". Mr. Shubrick* does not give his reason for substituting the word "adjudged" in his first letter. It would have been more satisfactory if he had reported whether any endowment existed to the church before 1813, instead of merely saying what was the term used in the Register. It is to be inferred, apparently, that the four Cawnies of land was then newly given, and the act was wholly unauthorized and invalid; but the Government will not now interfere with the Petitioner as respects that land.

5. Intimation will consequently be made to Mr. Xavier, that whatever land is cultivated by him in excess of the four Cawnies, will be charged with assessment according to the rules of the District.

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

IN COM. 23RD FEBRUARY 1859, No. 712.

From C. J. SHUBRICK, Esq., Collector of CHINGLEPUT,

dated Teroocaleconrum 21st February 1859, No. 39.

In reply to the Official Memorandum of the Secretary of Government sent to me by the Board on the 14th instant, relative to the meaning of the word "adjudged" in my endorsement on Petition No. 555 of 1857, I have the honor to state that perhaps the word "granted" would have been more correct, as that is the word used in The "Munro's Form" Account prepared in 1821, descriptive of the act of the Collector in 1813.

Revenue Department.

Official Memorandum

Ex from the Pro-
ceedings of the
B. of Rev. dated
4. Feb. 1859
No 457.

* No 555 of 1857.

2387/59

The Secretary to Government
has the honor to request that the
Secretary to the Board of Revenue
will with the Board's permission
call upon the Collector of Chingleput
to explain precisely the meaning
of the word "adjudged" in his endorse-
ment on the petition to himself
from the Reverend Fr. J. Cowie,
dated 28. May 1857. Information
is requisite as to whether the act of
the Collector in 1813 referred to
by Mr. Sturbrick was an adjudica-
-tion respecting the extent
of an already existing grant,
or whether an assignment of land,
de novo, to the Church is
indicated

indicated. The copy of Mr. Shubrick's
endorsement which accompanied
the Board's Proceedings is herewith
returned for reference.

Fort St. George }
12 February 1859 }
Sgt. J. D. Gaudin
Secretary to Gov.

To
The Secretary to the
Board of Revenue.

R.D.

410

Extract from the Minutes of Consultation
Under date the 26th March, 1859.

Read the following papers.

Extract from the Proceedings of the
Board of Revenue.

/ Here enter 11th February 1859 N^o 417 /

Memo from the Sub Secretary
to the Board of Revenue.

/ Here enter 8th March 1859 /

In these Proceedings
the Board of Revenue report
upon a Petition from the
Reverend Fr. Xavier a Roman
Catholic Missionary at Angora
in Chingleput which was referred
to them in Extract Minutes of
Consultation 26th October 1858. The
Revenue Department. The tenor of
Mr Xavier's complaint appears
to be that tax has been charged
by the Revenue Authorities upon
certain

Official Memorandum
to the Secretary & the
Board of Revenue
Dated 12th February 1859.

certain land which he says forms the endowment of his church; the extent he claims to hold rent free is $7\frac{1}{2}$ Cawnies, while the Collector on the other hand only admits the right of the Church to four Cawnies.

The Petitioner quotes in support of his claim a decision by a late Acting Collector in November 1850, ^{which he asserts} ~~that~~ ~~is stated~~ to have recognized the right of the church to the whole $7\frac{1}{2}$ Cawnies.

2 It is stated ^{by the Court of} ~~that~~ in 1813, the Collector of ~~Chingf~~ ^{that day} adjudged four Cawnies of dry land to the Church rent free.

That with this extent of land $3\frac{5}{16}$ more was enclosed but was not brought under cultivation until Fushy 1264, when it was charged with the full assessment. In 1850 a dispute took place between the Mirasidars of

x. ^{Correctly}
 $7\frac{3}{4}$ Car

Collector's endorsement.
Petition N^o 355 of 1857.

Col^l's letter to Board para 2

of Ongoor and the Petitioner, as to who was to occupy the land in excess of that allotted as the Church endowment, and the Collector M^r Hesse, decided the right of occupancy in favour of the Church, but made no order with reference to exempting the land from tax.

3 The Government con-
-cur with the Collector and Board of Revenue that the Petitioner's claim is quite untenable. The Collector in 1850 had no authority, even supposing him to have been willing, to issue an order to exempt productive land from assessment.

4 With respect to that original four Cawnies of land stated by the present Collector to have been "adjudged" to the

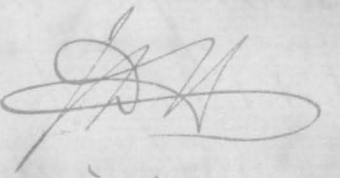
Church

Church in 1813 by the Collector,
the Government made a reference
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meaning of the expression used,
and they are informed in
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the Register prepared in 1821
was "granted." * Mr. Shubrick
does not give his reason for
substituting the word "adjudged"
in his first letter. It would
have been more satisfactory if he
had ^{reported} informed whether any
~~endowment~~ ^{endowment} existed to the
Church before 1813, instead of
merely saying what was
the term used in the Register.
It is to be inferred, apparently,
that the four Canons of land
was then ^{newly} ~~only~~ given, and
the act was wholly unauthorized
and ~~is~~ invalid, but the
Government will not now
interfere with the Petitioner
as

* From C. to B. Feb. 21st /59.
is memo from U. S. A. Mar. 8.

as respects that land.

5 Intimation will
consequently be made to Mr.
Xavier, that whatever land
is cultivated by him in excess
of the four Canons, will be
charged with assessment ac-
cording to the rules of the
District.



To the Right Rev. J. Fennelly Feb 28th
for communication to Rev.
St. Xavier -
B. Board of Revenue with 2 Encls

Revenue 1859 Sept 15.
2010 Cms: 144 Sept.

270410.

Abstract of Cms:
272615 March 159.

Handwritten signature

to the endowment of the
Parish Church at Angren,
will be charged with the exp-
ment according to the rules
of the District.

Concerning with the Cms
of Cms Dept and the Cms that
Rev. Fr. Lawrence's claim to the
whole 7 1/2 Cms is in line
with, observing that the Cms in
1868 had no authority to give
an order to exempt productive
land from Assessment, and
ordering to intimate to the
Parish that whatever land is
cultivated by him in excess
of the 4 Cms is allotted as
to

270410 at 43-