

Revenue Department

No 435

Date, 30 - 3 - 1859

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

No. 89. Read the following Extract from the Proceedings of the Court of Wards, dated 11th February 1859, No. 505.

Read again letter from the Collector of Tanjore, dated 27th November 1858, No. 257.

(In Con. 22d December 1858, No. 5427.)

Read also letter from same Officer, dated 30th December 1858, No. 281.

(In Con. 3d January 1859, No. 10.)

In the first of the above letters the Collector solicits authority for placing the Estate of a Minor under the care of the Court of Wards.

2. The Minor was adopted by his maternal Grandfather, who left no direct male issue, and who by will nominated his wife's brother, and the boy's own father as managers of the property he left.

3. The former however took no part in the trust which was administered solely by the latter until his death in 1858, when he again constituted by will the father-in-law of the Minor, and two other persons not in any way connected with the family, as his successors in the Trust.

4. These persons however refuse to act together, and the two latter propose to associate with themselves the brother-in-law of the Minor's adoptive father, who as above stated had been originally nominated to the trust but did not act.

5. This person has produced an Extract from the Proceedings of the Civil Court at Combaconum (translation of which is submitted with the second letter above recorded) which does not however appear to affect the present question either way, and the Collector reports that he is needy and in embarrassed circumstances, while the other two who wish to join him with themselves in the trust are said to be indebted to the Estate. Under these circumstances it is evident that none of them are properly qualified for the office which they propose to assume.

6. The adoptive father and mother of the Minor being both dead, as well as his natural father, and his father-in-law offering no opposition to the arrangement proposed by the Collector, the Court of Wards resolve to submit the papers to Government with their recommendation that the Collector be authorized to take charge of the Minor's Estate on behalf of the Court of Wards, and to administer it for his benefit.

7. The landed Estate is of the estimated value of Rupees 17,000, paying Rupees 3,000 to Government but it is encumbered at present with a debt of some Rupees 40,000.

8. Should the Government be pleased to accede to the above recommendation, the Court of Wards will instruct the Collector to submit for their approval the arrangements he would propose for the education of the Minor Ward, and for liquidating the debts on the Estate.

(A true Extract.)

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

No. 90. ORDER THEREON, No. 435; dated 30th March 1859.

The Government approve the proposal of the Board of Revenue, and authorize the Collector of Tanjore to take charge of the Estate of the Minor Vardarajayungar in their capacity as a Court of Wards and to administer it for his benefit.

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

No. 10.

From H. D. PHILLIPS, Esq., Collector of TANJORE,

dated Vullum 30th December 1858, No. 281.

I have the honor to forward a translation of the Proceedings of the Combaconum Civil Court referred to in paragraph 4 of my letter dated 27th November 1858, No. 257, as desired in an Extract from the Board's Proceedings of the 22d Instant.

ENCLOSURE 1.

Extract from the Proceedings of the Civil Court of Combaconum under date the 14th September 1858.
Read Motion, No. 1083, presented on the 9th Idem by Nedoonteroo Vencatagery Iyengar, son of Teroovengadattiengar, residing at Rayempettah in Trivady Talook.

Petitioner prays that the witnesses who have attested the will dated 30th March 1854 presented by him with the above motion, may be examined and he be admitted as special appellant in appeal suit No. 127 of 1857.

Ordered that a notice embodying the contents of the above motion be hung up in the village in which the deceased appellant lived and also one in Yeroomepputty in Paupanassem Talook where Petitioner states the family of the adopted son now reside.

Read again the above motion, No. 1083, on the 30th idem.

Petitioner is the maternal uncle of the minor son left by the deceased appellant. It clearly appears that the minor's late father reposed much confidence in him. The other party who sets up a claim to be the minor's guardian is his father-in-law not so nearly connected as to become a fit guardian while next to the relatives of a father those of the mother have the best claim to become guardians.

Under these circumstances the Civil Judge permits Petitioner to carry on the said appeal suit as the guardian of the minor Varadarajan.

(A true Extract.)

Given to the Petitioner
Vencatagery Iyengar on
the 14th October 1858
(Compared) Vitaliah
Civil Record keeper.

(Signed) G. T. BEAUCHAMP,
Civil Judge.

Filed in Court on the 19th October 1858.

(Signed) MAHAMED,
Sudr Ameen.

(True translation.)

(Signed) H. D. PHILLIPS,
Collector.

From
Collector of Jayari
23rd Dec/58
1828

C. No 246/59.

12th Dec/59

No 89790

Conclusion

30th March/59
435-

11th Dec/58

24/6/59

3rd
The accompanying
draft on this paper
was made by Mr. Brown.
I have not put initials
on it, because I am
not sure whether the
Govt. will accept it
whether they can inter-
fere with the operation
of the will.
That will ap-
pointed two persons to

manage the property left
by him on behalf of his
assets over the income -
only one of them ~~two~~
acted in the trust, & he
is now dead - His ap-
pointment of power to
success him in various, as
the various delegates were
joint delegates - but his
original co-trustee or co-
executor is living & the
jointly with us & not now.

The court says to him
that he is in needy circum-
stances; but he would like
to share in the trust by the testator
(being indeed brother to the
testator's wife) only about
five years ago -
I must have authority
from him to authorize the
city of words & interfere
except in cases where their
action was clearly necessary.
I must have the
power for order -
J. H. M.

into a single word &

mean-

There can be no question
of the advisability of the mea-
sure proposed - but it
is legal - what does Mr.
Inverhead say - if there is
doubt - it should be referred
for a legal opinion.

I concur in the A. G.
above. In relation to paying
tax. to the extent it has been usual
wherever practicable to leave
the management with the subject
But where the public interests are in-
volved, the interest of the Gov. becomes
the more imperative.

5m
6m
I think the Forest of Wreeds

is right -
Key V. of 1804 - best to have
the full power to act
see the rules of Court
respect to the manage-
ment of the estates of
deceased - the Reg. - makes
reference to the Reg.
the appt. of managers
& title - & that no such
measure was intended
appears clear from the

Curran & Lawrence that
Feb. 1 + VIII of the V. Pro
resides for the appt.
of guardians of the
The parties of this it
appears to me that
C. being apparently
a clear out himself
for the present - does not
seem inclined to
undertake the

6m
management of
it for the minor

By all
J. K.

No. 505.

EXTRACT from the PROCEEDINGS of the COURT of WARDS, dated 11th February 1859.
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(A true Extract.)

Sub Secretary.

To

J. D. BOURDELLON, Esq., Secretary to Government, R. D.
Copy to Collector of Tanjore.

The last session the representatives
of the County Ward of the
Incorporation of the State
the Union Association in
Shelton's & the anti-Slavery
years old. It is manifest
that the property is likely
to suffer from the disaster,
if delivered over to them;
and if they were not dis-
qualified by self-interest
and other considerations.
The result of the discussion of
the C.W. Johnson in P.S., will be