M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 565 — Press ~~Mis.~~

227-230

Dated 13 - 3 — 1862.

Not to be folded or roughly handled

No. 227. Read the following letters from JEYA ROW the Jaghirdár of Estampúr in Cuddapah District :—

To His Excellency the Governor in Council, Fort Saint George, dated Madras, 28th August 1861.

The humble Petition of Jeya Row, Jaghirdár of Etampúr, &c., three villages attached to Chitivale Táluq in the District of Cuddapah.

My Lord,

1. Dissatisfied with the orders of the Government passed on Petition No. 369 of 1861, presented by your Petitioner, dated 4th April 1861, your Petitioner presents herewith an Appeal Petition to the address of the Right Honorable the Secretary of the State for India, together with its accompaniments (in triplicate), which, it is requested, may be ordered to be dispatched to that noble authority at England.

2. It is also requested that your Petitioner, who is residing at Triplicane, Northern street, Door No. 13, may be apprised of the dispatch.

No. 228. From JEYA ROW, Jaghirdár of Estamapúr, Chitwale Táluq of Cuddapah, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 15th October 1861.

Sir,

With reference to my Memorial to the Right Honorable the Secretary of State, dated the 27th August last, claiming the exclusive registry and possession of the Jaghire of Estamapúr, attached to Chitwale Táluq in Cuddapah, I beg to enclose a translation of a Telugu Takeed issued by the Collector of North Arcot to the Tahsíldár of Cholingur directing him, under the orders of the Secretary of State, Government and Board of Revenue, to register the Inámaty village of Neelacuntapooram in the single name of Baboo Row whose case is similar to mine to form a precedent, and to request that this enclosure may be added to my Memorial when forwarding the same to the Secretary of State.

No. 229. From JEYA ROW, Jaghirdár of Estamapúr, Chitwale Táluq of Cuddapah, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 31st October 1861.

Sir,

With reference to my Memorial to the Right Honorable the Secretary of State, dated the 27th August last, and to my letter of the 15th instant, I take the liberty to enclose two more papers one from the Head Assistant Collector of Cuddapah, Mr. Mayne, dated in 1843, and another from the Deputy Collector under the Inám Commissioner, dated 25th instant, in view to strengthen my claim to the *exclusive* registry and possession of the Jaghire of Estamapúr attached to the Chitwale Táluq in Cuddapah, and to request that these papers may be put with my Memorial and forwarded to the Home Authorities with your favorable recommendation as soon as practicable, for it is now above two months I received no information of its having been dispatched to its address.

No. 230. Order thereon, 13th March 1862, No. 565.

1. These papers relate to a Memorial to the Secretary of State from Jeya Row one of the holders of Estamapúr and two other Jaghire villages in the Cuddapah District, praying that an order of this Government may be set aside, and that he may be recognized as head of the family, and be allowed to manage the Jaghire.

Continue

Proceedings of the Madras Government, Revenue Department, 13th March 1862.

2. Kistna Row, the original grantee, was allowed the Jaghire as a reward for having attended on Major General Wellesley throughout the campaign against the Maratta Chieftains, and on Major Malcolm, during that Officer's Mission to the Court of Dowlut Rao Scindia. The Sanad is dated 7th June 1805, and the terms are that he and "his heirs" are to enjoy it free of all assessment. He died in 1818, leaving three sons, the eldest of whom was the present Memorialist's father. It is on this ground of primogeniture that Memorialist urges his appeal.

3. From the report* of the Acting Collector of Cuddapah, forwarded to Government with the Proceedings of the Board of Revenue, dated 12th March 1861, No. 1,362, it appears that on the death of the original grantee in 1818, his three sons held the Jaghire *jointly*, and that on the death of Runga Row (Memorialist's father) in 1844, the remaining brothers and the Memorialist who had then attained years of discretion, divided the property, both real and personal: no objection being raised by the Memorialist till 1851. The Board of Revenue under these circumstances, saw no reason for complying with his application to be entrusted with the sole management of the villages in question, and their decision was confirmed by the Government on appeal.

* Dated 18th May 1859.

4. Before, however, transmitting the Memorial to the Secretary of State or otherwise disposing of it, the Government resolve to refer the papers to the Inám Commissioner, and to request him to report generally as to the custom which obtains in the country in regard to succession to such Jaghires, viz., whether it devolves solely on the son of the eldest male member or on all the surviving male members of the family jointly.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

2

Sunnud granted by the Right Honorable Lord
William Cavendish Bentinck Governor in Council
of Fort St. George and it's dependencies on the
part of the Honorable the United Company of Merchants
of England trading to the East Indies to Kistna Row.

Be it known to all Officers
of the Courts of Justice and of Revenue
and to all proprietors of land that the
Right Honorable the Governor in Council
has been pleased to grant to Kistna Row
and his heirs the Villages of Edemar
poorum Wookinampille and Sewalpille
in Chittoor and in Chinnoor in the
Ceded Districts of the Annual Revenue
of Rupees 5061 free of all Assessment.

Which said Villages of Edemarpoorum Wookinampille and Sewalpille the said Kistna Row and his heirs shall continue to hold and to receive and enjoy the revenues derivable from the lands belonging to the said Villages so long as the said Kistna Row and his heirs shall

Continue

Continue faithful to his and their allegiance to the British Government and obedient to the Regulations which have been or may be established by it authority for the internal Government of the Country, for the Administration of justice and for preserving to its Subjects the Enjoyment of their just Rights and privileges.

In the event of the said Hastwell Row or his heirs failing to perform the above duties the Villages of Etemar, Poorum, Nookemanville and Sewallville shall be forfeited and escheat to the Company and this Summed shall become null and void otherwise it shall Continue in full force and effect provided however that if the family of the said Hastwell Row shall at any time fail and become Extinct the Villages of Etemar, Poorum Nookemanville and Sewallville shall then revert to the Honorable Company free from all demands on account of debt.

Given under the Seal of the Honorable Company and Signature of the Governor in Council in Fort St. George this 7th day of June One thousand Eight hundred and five.

Entered in the Secretary's Office
By order of the
Right Honorable
the Governor
in Council

W. Bentinck
J. G. Bradick
Wm. Petrie
James Strange

A.

Collector's Seal

From

M. Murray Esqr.

Collector of Tuticorin

To

Eyuth Swamy Jeyaroo Jaghirdar

of Ettamoozhy &c.

Upon perusing your Tahzeez and English Petition dated the 16th Instant representing in them that in consequence of your late Grand Father pursued Ettatoo Row rendering eminent services during the war in Ceylon & obtained the Cutcherry was pleased to confer upon him as a permanent free Jaghire the Villages of Inna Reevapatty and Ettamoozhy in Sheevagiri Zelah. These Villages being enjoyed by the above said Ettatoo Row and upon his death your father Runga Row as his eldest son succeeded him and conducted the sole management of the Jaghire having in his support his two younger brothers named

Copy of a Letter to Ceylon
dated 20th May 1842 No 134

Bid dated
Lay a Copy
Ceyl

Received
Answered

Rec 129

Hanamumta Rea and Beenal Rea - Ondrs
death in July 1256 while it was lawful
that you should succeed him for the sole
management taking into your supports
the above named your two uncles, it was
not done so because you were then a Minor
of fourteen years old and in consequence
that your said Uncles with a view to
defs and your, entered their names
also instead of your only name being
written in the Ryotwary Puttahs, Ac
counts, Bonds and on all other documents
and that upon your lately detecting
this fraudulent transaction you
questioned about the introduction of
their names in the above adverted
documents, that they not only dis-
regarded your disputes, but also one
of them named Hanoomunt Row
having secreted the Summud and
the documents, continued to assume
and exercise the powers of Management.

you

-5-

you pray therefore that orders may be
issued to the effect to make over to you
the power of the sole management and
to recover the above said Summud and
accounts &c. Upon considering your
personal Representations also in connec-
tion to the above adverted Petitions
together with the Genealogical Tree
which you produced, orders were issued
that you should possess the power of
the Sole Management of the Jaghire as
a descendant of the Elder Branch
and an intimation of the order was made
to the Chitwah Taloka to communicate
the same to Hanoomuntarow and another
so as to return to your Cutcherry the Summud
and other documents &c after taking a
receipt for the same from you, you are
hereby to understand that you should
take by the above orders.

24th June 1858

Signed G. Murray
Collector

Order of Government on the Petition
from Iya Row Pagtureder of
Etemapoor 8 Villages and residing
in Moolnampully in Chitvale
Taluq Cuddapah No. 369 of 1861.

The Government have re-
ceived a report on this claim, and
see no reason to interfere with the
decision made by the Board of
Revenue.

Fort Saint George,
4th April 1861.

By Order
C. Gleaston
Dy: Secy: to Govt.

To The Petitioner
with 14 Enclos of Petn No. 369 of
1861.

Read 11th & Letter to Collector
2/20th ditto 1862 No. 34

Acknowledged
Collector & Magistrate
Order to Enquire
Respondent
18th June 1862
Rec'd 23rd ditto
Rec'd 20/12.

To

His Excellency

The Governor in Council,

Fort Saint George -

Sir, Sir, Sir,

The humble Petition of Jaya Rao - Jaghiredar of Etemapoor Sir Villages and residing in Nookanapully in Chittoor Taloork in the Zillah of Cuddapah.

Respectfully Showeth,

1. Your Petitioner begs most respectfully to submit the following his humble Case for the favorable Consideration of your Excellency in Council, with an earnest hope that it will merit at your Excellency's hands that justice which it has failed to obtain from the Subordinate Authorities. -

2. That your petr's grand father Krishna Rao having rendered eminent and meritorious Services to the late Honorable Company during Seringapatam War was granted on the 28th June 1805 the three Villages Etemarpoor Nookanapully in Chittoor Taloork and Several fully in Cheenoor Taloork as Jaghiers authorizing him to enjoy all the privileges as a permanent Remuneration. -

3. That the said Krishna Rao having enjoyed the above Jaghiers for some time died in 1818, when his eldest Son Runyah Rao (your petitioners father) assumed Possession of the same, and enjoyed them till 1846 maintaining his two younger brothers Hanoomunthoo Rao and Beenah Rao

Rao--

4. That at the death of your petrs father Rungah Rao in 1846 your petr as the descendant of the eldest Member of the family had a right to succeed his late father in the management of the Jaghеers, but your petr was then a Minor--

5. That your petr said two Uncles availing themselves of the opportunity, with a view of defrauding your petr, conducted the affairs of the Jaghеers in their names together with your petr, without an order of any Kind from the local authorities--

6. That, on your petr attaining his majority, and becoming fit to manage the affairs of the Jaghеer himself without the aid of his uncles, he Petitioned the Collector of Cuddapah, bringing to his notice the deceitful conduct of his Uncles in regard to him and praying to authorize him to assume the sole management of the Jaghеers without the interference of his uncles- The Collector accordingly after proper enquiry furnished him with the Takeed, herewith appended with English Translation with mark A giving him full power over the Jaghеers, and ordering his uncles to deliver over to your petr all the documents which they have fraudulently Kept with him--

7. In the mean while your petrs Uncles Hanoomunthoo Rao and Ramah Rao the Son of Beemah Rao another deceased, supposing that they were deprived of their right by the above Takeed have petitioned the Collector requesting him to allow them to carry on the affairs of the Jaghеer conjointly by the 3 parties, and praying for an order to that effect-

8 The

8. The Collector whereupon passed an Endorsement herewith appended with mark B. Although the Collector the last part of it orders that the different parties enjoy the Inam as hitherto until otherwise decided by competent authority at the Presidency, yet he has noteverged his permission for the Jaghеers affairs being managed conjointly- he expressed his opinion that your petr alone should be invested with the management of the Jaghеer even in regard to the enjoyment by the uncles and their children, the Collector is fully of opinion that they ought to receive an allowance from your petr, and that they are prevented from claiming a share- The part of the above endorsement conveying the above opinion is herewith marked-

+ The Collector will not offer an opinion as to the right of the two latter brothers Hanoomunthoo Rao and Beemah Rao & their heirs to inherit- In Zemindaries the heirs of the eldest branch succeeds to the land and the same takes place in Jinjin- There can be no doubt that Jaya Rao is the Son of the eldest Son of Krishnah Rao to whom the Jaghеer was granted or Grandson of the original grantee- as to his succession there can be no doubt but it is for the Government or the Board of Revenue to decide whether the original Jaghеer is to be frittered away by numerous Subdivisions to collateral relatives- The Collector is of opinion that Jaya Rao ought to be invested with the management of the property as the heir Male of the eldest Son of the original grantee and the others ought to receive an allowance from him & prevented from claiming a Share-

9. In consequence of the Collectors statement that the matter of succession should be decided by higher authority and the uncles of your petr not having delivered to your petr, the documents as ordered by the Collector in the Takeed referred to- your petr had in 1859 petitioned the Board of Revenue submitting the endorsement of the Collector and praying for permission to Superintend the Jaghеers and for orders to the delivery of the documents to your petr by his Uncles-

The

The Board having referred the Petition to the Acting Collector for his early report on the 1st April/59 and on the receipt of the report, have passed the endorsement marginally noted and herewith appended with

As it appears from the report of the Collector and from the papers that have been considered that the Petitioners & their ancestors have been in the joint enjoyment of the descendants of the original grantee since her death in 1818 the Board approve of the intention to continue that joint enjoyment henceforth and direct that it be so maintained without dispute.

C. D. Your Petr. would here beg to add that the prayer of your Petn. was merely for permission to manage the affairs of the Jaghier, but the Board having lost sight of the said prayer, dwell entirely upon the matter of enjoyment which is not in any disputed by your Petr, as he perceives no objection in acting up to the intention of the Collector that they are entitled to receive an allowance from your Petr, which is usually the course adopted in such cases and in those of Zamindaries, wherein the descendant of the eldest member of the family is alone invested with the management of the property and the rest are allotted with allowances - But however your Petr. must respectfully submit the decision of this point to the consideration of Government, and that should they otherwise be disposed, that the Uncles are entitled to equal shares which is utterly in variance with the practice in such Cases, your Petr. has least objection to follow up the course -

11. In consequence of the Board not having decided with regard to the management of the affairs of the Jaghier,

Jaghier, and the Uncles not having referred to your Petr. the documents as ordered in Mr. Thomas's letter in question there is constant collision between your Petr and her uncles whereby the Collection of the Revenues is much impeded - your Petr need not point out to your Honble Council the inconveniences and hardships that would result from the independent management of the Jaghier by the 3 individuals jointly, while exercising with each other - Each wishing to carry on his own views and ends; and it is for the prevention of the above and to secure harmony and proper collection of the Revenue your Petr respectfully craves the Government to decide the question of management, and in so doing your Petr begs to state that the Jaghier was derived from the grant of your Petrs great father Krishna Rao the original grantee, in the joint management exactly as your Petr & your Petrs surviving uncles - as at the death of Krishna Rao your Petrs father Rama Rao alone and not his brothers Narroomunthro Rao and Beerapa Rao the Sole management of the affairs of the Jaghier and that his brothers Narroomunthro Rao and Beerapa Rao your Petrs uncles were only dependant upon him for maintenance and in proof of this fact, your Petr begs to adduce the following Evidence -

12. That at the time of your Petrs father all Puttahs were granted to Ryots by him alone, and that they bore his Seal and Signature, and not of his brother at all, some of such Puttahs which he has obtained from the Ryots are herewith submitted with mark D. and besides all the accounts and records of the Jaghier are in the name of your Petrs father alone - Should there appear in any of the accounts or document belonging to the Jaghier, the name of your Petrs uncles also your Petr begs to say that it was by forgery

forgery was committed by his uncle during the minority
of your pet[r] as all such papers were in their charge - if
that had there any corresponding alterations been made
in the records of the Collector - no doubt they had means
to do so as Rastoor Venkatee Rao who was then the
Record Keeper of the Collectors Cutcherry, is the Brother
law to Hanoomanthoo Rao one of the Uncles of your
pet[r] and through whose instrumentality it is probable
that the above act would have been perpetrated - Mr
Murray who signed the above Tauked and Endorsement
was well aware of the fact of your pet[r] father alive having
been in the entire management of the Jaghier on a former
and a searching enquiry - but Mr Fraser who was appointed
to act for him had with the Sanad order of the Board of Revenue
of 1st March 59, made an enquiry which most necessary
every satisfactory as he had not at all called your pet[r] for
enquiry; and had he done so your pet[r] would have brought it
to light the forgery which his uncles have committed in
the documents which they might have substituted to the
Collector - Employment of the Collector on such unsatisfactory
enquiry should not at all be relied on - If the Government
were pleased to order for an enquiry in the presence of your pet[r]
your pet[r] is prepared in every way to shew the Jaghier rights in
the sole management of your pet[r] Father - as well as the
forgery committed by his Uncle in case of the document -
belonging to the Jaghier - The above facts of the sole Manage =
ment will also be proved from the Officers of the Villages
adjacent to those of your pet[r] Jaghier if they were called
before the Collector -

13. Your pet[r] respectfully state that in such cases of
Jaghier dars the right of management devolves upon the heir
male of the Eldest Son of the original grantee as stated by the
Collector in his Endorsement referred to above - and your pet[r]
is consequently entitled to that privilege - that the Government
may without the above enquiry accede to the Prayer of your pet[r] -
if they were pleased -

21st January 1861

for which act of Kindness your pet[r] as in duty bound
shall ever pray -

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B

It appears that the Jaghier of three Villages of Etamarpoorum Kanaripully in Chitwail Talook and Seevolapully in Chinnoor Talook were granted to Krishnarow on 7th June 1805. He died leaving three sons Rungarow first, Hanamuntarow second and Bheemrow third son. The three enjoyed the two villages in Chitwail, Shreenivas Row brother of Jaghierdar that in Chinnoor - Rungarow died and left a son Seyrow - Hanamuntrow is alive - Bheemrow died and left a son Kistnarow - these have for sometime enjoyed the Enam. The Collector will offer an opinion as to the right of the two latter brothers Hanamuntarow & Bheemrow and their heirs to inherit - In Zemindarees the heirs of the eldest branch succeed to the land and the same takes place in Jowjees - There can be no doubt that Seyrow is the son of the eldest son of Krishnarow to whom the Jaghier was granted or Grandson to the original Grantee. as to his succession there can be no doubt, but it is for Government or the Board of Revenue to decide whether the Jaghier is to be allowed to be transmitted by numerous subdivisions to distant relatives - The Collector is of opinion that Seyrow ought to be invested with the Management of the property as the heirmale of the eldest son of original Grantee and the others ought to receive an allowance from him and prevented from claiming a share - This however is for the Authorities at the Presidency to decide - The Collector hereby orders that the different parties enjoy the Enam as hitherto until otherwise decided by Competent Authority at the Presidency —

(Signed) M. Murray
Collector

20th September 1858.

(Questions None.) (True Copy)
M. Murray
Collector

(Signed)
Lr to Collr
Transmitting
Petition
of Cutsetty
Rao
21st Sept 61

Rec 20th 9/61

Rec 12th 9/62.

Copy of a Letter to Collr
dated 21st May 1862 No 38

Lr 369/61

C 3 12

In No. 1562 of 1864.

From

The Commissioner for the

Territories of

His Highness The Rajah of Tanjore

&c &c &c

To

Nursinga Rao

Grandson to Mehuban Dostan

Dewan Poonnah Jaghiedar of

Elumdoor Taluke

As now an opportunity had happened that the Elumdoor Jaghire might be restored again to the heirs of the late Poonnah, it is conferred upon you on the consideration of your being the descendant of the elder Member of the family and that of your experience in the Circars affairs should you attend to the office of the Superintendt of Sustagsians, the above said Taluk will be delivered to

serving in the thousands of the Jaygeers

Zemindaries

to you because a Communication was
sent to him to that effect you are
also vested with the powers in Clauses
Jalook as the like powers vested
to the Talookdars of Astagrams.

The power of disposing of the
Civil and Magistrate matters are
vested in you under the same principles
as the Circar Talookdars are carrying on
now. you should henceforward submit
a Report to the Hoozoor your Proceedings
in such affairs.

As it is necessary that the Hoozoor
should be kept acquainted with the
annual Collections, disbursements and
balance in the Pogham, you are required
to forward to the Hoozoor the
Khamabundy accounts under different
heads and the accounts particulars
of the collection and demand in each
succeeding fusly Dated Bangalore
23d July 1858.

/Signed Jr. Cubbon Secretary
Commissioner

To the Right Honorable the Secretary of
State for India

The humble Memorial of Sayarow
Jagheerdar of Calamapoor &c. 3
Villages attached to Chetwail Tuloob
in the District of Cuddapah under
the Presidency of Fort St. George.

Respectfully Sheweth,

This is an Appeal against the
order of the local Government of Madras
on Petition No. 369 of 1861 to them presented
by your Memorialist stating that "they
" see no reason to interfere with the decision
" made by the Board of Revenue."

Submitting all papers connected
with the matter No. 1 to 1 your Memorialist trusts that the Home Authorities will on the face of the proceedings and especially considering the invariable rules which the local Government of Madras had been and are to this moment observing in the thousands of the jagheers Zemindaries

Copy of Letter to England
No 204 dated May 1862 No. 34.

From
Chief Commissioner
Mysore Coorg & Ceded Districts &
the Secretary to
the Board of Revenue
Fort St. George

To Lewis B
No 5

Rec'd 29/5/62

Rec'd 20/5/62.

Zemmindaries and other Endowments,
whether allotted by former Native princes,
or by the English Government, reverse
the orders under Appeal; and place your
Memorialist on the same indulgent footing
which his Contemporaries are on, and which
your Memorialist alone was unfortunately
deprived of that universal indulgence.

The succeeding feature of the Grievance
now to be Complained Against and of the
Merits of the Case is as follows. The
Grand father of your Memorialist,
Kristnarow, having been the principal
Servant of the Residency of Mysore and
rendered his services on several Occasions,
principally during his attendance on
Major General Wellesley in the Campaign
against the Confederated Mahratta
Chieftains and on Major Malcolm
during that Officers Mission to the
Court of Dowlut Rao Scindia, the
Government upon the recommendation
of that Noble Major Wellesley granted

Kistnarow 3 Villages in the Ceded
District in 1805 on Surwajagheer as
would be seen by the letters from the
Local Government of Madras dated
8th March and 8th September 1805 to
England to which your Memorialist
would refer the Home Authorities on
their own record. Agreeably to the Sanc-
tion of the Court of Directors Para 35
dated 28th February 1806. the then
Governor of Fort St. George granted
Semmud to Kistnarow on the 7th June
1805 for the Jagheer Villages alluded
to above. Copy of the Semmud Accom-
panies this

Vide No. 1.

The Original grantee Kistnarow
enjoyed the Jagheer from 1805 to 1818.
and died in the latter year, leaving 3
Sons namely Rungarow the eldest,
Kanoorcanta Row the 2d, and Ranna
Row the 3d; On his death the Eldest
Rungarow whose son Your Memorialist
is, exclusively (ie without interference

or

or joint Registry of his two Youngest brothers) enjoyed the Jaghear for 30 years and died in 1846 having Registryed his name jointly.

During the death of your Memorialist's father Rungaroo (the Eldest son of the Original Grantee) he (Memorialist) was 13 or 14 Years old. In this juncture the said youngest brothers Kanemenlu Row and the late Beema Row (who died in 1853) were Guardians to your Memorialist. As soon as your Memorialist arrived at discretion he presented a Petition to the Collector of the District Mr. Murray on the 16th June 1857 to register the Jaghear in his name. This Authority instituted necessary Enquiries and issued Orders* to your Memorialist's address on the 24th of the same Month registering the Jaghear exclusively in his name — Agreeably to this Order your Memorialist held possession and issued Pattahs to the Ryots for 1857, as also for some Months

14 11 25

vide No. 2

Months in 1858.

The Youngest Uncles of your Memorialist on Consideration of their having been guardians to him, and with a view to have their names jointly entered with his in the registery of the Jaghear presented surreptitious Petitions to the same Collector Mr. Murray, and the Gentleman putted an Endorsement on their Petition justly being of Opinion* that the right and title of the status in the family to hold the exclusive Registry, is in the Son (your Memorialist) of the Eldest Son of the Original Grantee; but ended his opinion that the discussion and determination on that head rest with the Presidency Authorities.

vide No. 3

At this Mr. Murray has held your Memorialist as principal status in his order No. 2 which was the unerriable ruling of the Presidency Authorities yet as such wordings appeared

to

to your Memorialist to have them finally cleared, he has therefore submitted an appeal to the Board of Revenue - who referred the matter to Mr. Murray for fuller report. On or before the receipt of the Board's order, the same Gentleman having taken leave of absence, the Board Petition fell into the hands of Mr. Fraser who was Acting or Successor. On same misrepresentation made by the said Youngr Uncles, the Acting Collector was led to report to the Board that the Jaghier appears to have been jointly enjoyed by all 3 brothers. The Board relied on the Acting Collector's report and affirmed it so that the Jaghier might be jointly held and enjoyed by your Petitioner and by her two Uncles.

The object of this Memorial is not to Contend that your Memorialist declines to his Uncles for their maintenance from the revenues derivable from the Jaghier Villages,

on the universal ruling of the local Government of Madras as regards the hundreds of the eldest sons of those who are enjoying the lands &c. and if your Memorialist asks whether he is one among the hundreds of the Jaghiredars Zemindars and Native princes under this Presidency or, district, to be treated otherwise - Hence it remains for him if your Memorialist is in equal position with the hundreds, the orders of the Government which upheld the decision of the Board of Revenue should be received and orders issued by Home Authorities that the Jaghier might not be jointly registered but simply in your Petitioner's name

Vide No 4

1. Because the local Government of Madras invariably continue the Estates only in the name of the eldest Son however there may be many Sons for a Zemindar, Jaghiredar, Poligar &c.

1 Because

1. Because the Law Courts of the Country in India when claims made before them for sub divisions of the Estate invariably recognize the elder as enjoyers and professors subjecting the youngers to the Control of the recognized. ie to be maintained by the recognized.

/ Because Your Memorialists father Rungaraw is as stated in the proceedings of Mr. Murray No. 1. & 2. the Eldest son of the Original Grantee Krishna Row. Your Memorialist should be the registered and recognized Jaghiredar as the Government treat the other Native princes Zemindars &c. under the invariable rulings of Government but not as the Board decided upon and Government upheld. in Your Memorialists Case.

+ vide No. 5

1. Because the Local Govt. of Madras and Calcutta + observed the same rulings in the matter of the Eldest heirs of Poornah in Mysore Country and Jaghiredar of Arnee in South Arcot District.

1. Because the Home Authorities in last Year reversed the orders of the Local Government who subdivided the Jaghier granted to Goondapah by Government into halves among the brothers and ordered the Govern. to recognize the son of the last in possession.

1. Because the eldest sons of the Jaghiredars Zemindars &c are invariably recognized as Jaghiredar and Zemindar without allowing the joint Registry of their own Younger brothers or their own Younger Uncles.

Considering the said rulings Mr. Murray who is long Collector of the District recognized Your Memorialist as the son of the eldest son of the Original Grantee but ended his report that the Opinion should be affirmed by

by the Controlling Power but such opinion being opposed by the Acting Collector (a new to the District) and the Board having acceded to and the Government affirmed it, Your Memorialist lastly solicits that the Home Authorities do him justice by placing him in the exclusive Registry and possession of the gayhen inquestion by issuing necessary instructions to the Government of Madras, for, he (Your Memorialist) will die his younger Uncles inmate.

Madras ..... } I shall Ever Pray
28th August 1861. }

Copy sent to England
per 20th May 1862

To

The President and Members
of the Board of Revenue
Fort St George

850 LR
23. Mar 59

The humble petition of Jayaram Jugeendar of Eatmarpoor &c. village residing in Doorvanapully in the Cheyaur Taluk in the Zillah of Cuddapah

Most respectfully sheweth

With due deference and infinite submission your petitioner begs leave to state that in consequence of your petitioners grandfather the late Thistnaroo having rendered eminent and meritorious services to the Honorable Company they have granted on the 28 June 1805 three different villages viz. Eatmarpoor, Doorvanapully in the Cheyaur Taluk and in Chennoor Taluk as Jagier authorizing him to enjoy all the privileges such as land revenue, Enamaty Jody, Dohalee and sundry small farms and licences as a sort of permanent remuneration

The said Thistnaroo having enjoyed the above Jagier for some period expired, when his elder son Rungaroo your petitioners father assumed possession of the same enjoyed title 1846 in the same manner as his father did and protected his younger brothers Hanoomantaroo and Bheemroo

Although your petitioner had a right to succeed his late father Rungaroo and superintend the affairs of the Jagheer as Rungaroo did at the demise of his father Thistnaroo yet he did not do so as he was a minor, in consequence of which his uncles the said Hanoomantaroo & Bheemroo with a view of defrauding him availed this opportunity of conducting the affairs of the Jagheer in their names by getting

Your

from petitioners without an order of any kind from the
local authorities

After your petitioner came to his age and
became fit to manage the affairs of the Jaghire himself
he Government praying that he might be authorized to have
sole management and that his uncles should remain
under his protection They were graciously pleased to direct
that it should be inherited in conformity with Hindoo
law and form

Accordingly your petitioners petitioned Mr
Murray the Collector who issued orders to the effect that
he should enjoy every right and privelege as his father had
In the meanwhile your petitioners uncle Ramanantaroo
and another uncle Bheemarow son Ramrow considering
that they will be deprived of their right in the event of your
petitioner being entrusted with the management of the affairs
the Jaghir, joined together and petitioned the Collector
questing him to allow them to carry on the affairs of the
aghire conjointly by the three parties and an order to
effect should be granted to which the Collector
ssed an endorsement on the 28th September 1858, that he
es not see any objections in allowing your petitioner
have the control of the Jaghire as he had a right by
a descent of the eldest member of the family. but the
er of settling the claims advanced by parties for decision
Jaghire &c amongst the different members of the family
to with the Government as well as your Board.

As the Collector mentioned in the latter
art of the above endorsement that the members of
family should continue to enjoy the different shares
hitherto before until a final decision is obtained
them as aforementioned. they interfered with your petitioner
nducting the management of affairs. when your Petitioner
again represented the circumstances to the Collector who, m
the same endorsement as that already given by him upo
the petition of Ramanantaroo and Ramrow

The government have in several cases
decided that the descendants of the eldest member of the
family should be entrusted with the control and management
of the Jaghire &c. in several other Provinces and the following
are a few instances

1. In the case of Poonmah Jagerdar of Elem
in Mysore territories attached to the Bengal Presidency.

2. do of Poonganoor Samastanum in the North
Arcot District Madras Presidency.

3. do. of Army Jagerdar in do. do. and in the Ca
of several other Jagerdar Tavarjeedars Enamdars &c in wh
the eldest member of the family was nominated to superintend
the affairs of the Jagheer.

Your petitioner begs to enclose certain do-
ments the particulars of which are as follows.

1 Copy of the Collectors order
2 Petition with the endorsement of the Board of Revenue
3. English Copy of the Endorsement given to Ramanantaroo
and Ramrow by the Collector with his seal and signature on a
stamp paper
4 Arzees with endorsement thereon to the effect that this
case should be settled by the higher authorities

Under these circumstances he humbly begs your
Honorable Board will be pleased to take the foregoing circumst
stances into favourable consideration & grant him authority as
the eldest member of the family to superintend the affairs of the Jagee
which had been carried by his ancestors, ordering at the same time
the said Ramanantaroo & Ramrow to remain under his protection
and to make over to them all the documents connected with the Jagee
which are in his possession as in duty bound I shall Ever pray

4th March
1859

To

The President and Members
of the Board of Revenue

Fort Saint George

(1 Copy) Inst. 1582 of 1858

No. 850 of 1859

J. 7. 12 u 54

From Jayarow Jagerdar of Eatmarpoor and other Villages residing in Nookhanepally of Chitwail Talook, Cuddapah.

Rev = 1207/62.

Dated 4th March 1859.

Rec'd by T. 23d

With five Enclosures.

Rev 207/2/61

Submits the Enclt of the Collr. on the subject of his former Petn enclosed and prays that he may

6

Copy in a Letter to Govt dt 20th May 1862 pt 3d

be allowed to en=
=peninkend the Jaghire
and that the docu=
ments in the posses=
=sion of his Uncles
may be recovered
to him. No 44

Forwarded to the Collr. for early re=
=port with reference to his Endt. dated 5th Sept.
1858.

Revt. Bd. Office,
Fort St. George,
1st April 1859.

By Order,

[signature]

Sub Secy.

No 227

ABSTRACT.

Seeking to obtain an acknowledgement of his right, overlooked by the Board of Revenue in their decision in his Case to the sole management of the Jaghir Villages at present in the enjoy=ment of himself and his uncle.

Pet^n REVENUE DEPARTMENT

No. 369

From Jeya Row
Jaghiredar of Etemapoor &c
villages
residing in Kinkunam-
-pally in Chittoor Zy
Cuddapah

Dated 21st } Jany 61
Received 30th }
Enclosures 14

No.

SUBJECT.

Order

Forwarded to the Board of Revenue for report

22nd Feby 1861.

(Signed) C. E. M.

No. 1,362.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 12th March 1851.

Read again the following report by endorsement from the Acting Collector of Cuddapah, dated May 18th, 1859, on Petition No. 850 of 1859, presented by Jeya Row, Jaghiredar of Etemapoor, &c., village:—

1. The Acting Collector has the honor to report on the enclosed petition.

2. It is unnecessary to say anything regarding the original grant of the Jaghire, or the relationship of petitioners to the original grantee; these points are clear and not in dispute. From the records of this Office it appears that after Krishtana Row's (the original grantee's) death in the year 1818, his three sons Runga Row, Hanoomunta Row, and Bheema Row held the Jaghire *jointly*. Mr. Hanbury's (the then Collector's) order is to the *sons* not *son* of Krishtana Row. The Jaghire is so held to this day. Runga Row the eldest son died in 1844; and at that time the Petitioner Jeya Row was between 16 and 18 years old. Within one year after Runga Row's death, the brothers divided their property both real and personal; yet Jeya Row made no complaint or representation regarding this to the authorities, till the year 1851. It may, therefore, fairly be assumed that Jeya Row was a consenting party both to the joint enjoyment of the Jaghire, and the partition of property; and that his claim to be considered sole heir to the Jaghire to the exclusion of his uncles, is an afterthought.

3. The Acting Collector cannot agree with Mr. Murray that the reversionary interests of Government are at all compromised by the present division of the property; nor that they are likely to be so as long as none of the Jaghire goes out of the hands of the direct heirs male or female of the original grantee. He, therefore, begs to recommend that the Jaghire may continue to be enjoyed jointly, as it has been all along.

---

1. Ordered to be submitted to Government, with reference to their Endorsement on Petition No. 369 of 1861, dated 22d February 1861.

2. As it appears from the Acting Collector's report that the Jaghire was jointly managed by Petitioner and his uncles from 1844 to 1851 without any objection on his part, the Board are of opinion that his application to have the sole management cannot be complied with.

(A true Copy and Extract.)
(Signed) R. A. DALYELL,
Acting Sub-Secretary.

To J. D. Bourdillon, Esq., Secretary to Government, R. D.

Copy to A. Wedderburn, Esq., Officiating Collector of Cuddapah.

Exd. J. Wright.

ABSTRACT.

24-7-61

(1361.)

REVENUE DEPARTMENT

No. 2.

Order thereon No 369.

The Government have received a report on this claim and see no reason to interfere with the decision made by the Board of Revenue

By Order of

Sd/ Signed C. J. Erskine

Dy Secy to Govt

4th April 1861.

Fy. D. 13-3-62 No 585

From

The Board of Revenue

Dated 12th March

Received

Enclosures.

No. 1362.

SUBJECT.

P T P

No 227-233

Memorandum

From J. D. Robinson Esqre
Collector of Chittoor

To The Tassildar Venkayah &
Cholinger Talook &c

With reference to the orders of Government and Board of Revenue, directing that the Chinnatty Village of Pelacumtapovum attached to the said Talook should be continued both to Baboo Rowsoo & Seenevasa Row & to Banoobeyee the widow of the said Seenevasa Row's brother, orders No 11218 had been issued to you on the 7th July 1857. The said Baboo Row having since addressed a Memorial to Her Majesty Complaining that the registry of the Village should be singly in his name & that it should not jointly in the name of the said Banoo beyee, the Board of Revenue in their proceedings of the 6th June 1859 observe that in the dispatch from the Secretary to the state for India dated 15th Decr. 58 No 6 to stated that the decision arrived at by the Board, without recognizing the lawful status of the adopted son of the original grantee, who obtained the Sunnud in 1803 which only Contemplates the reversion when the family fails have ordered the joint Registry & that the orders appealed against have been reversed. The Board of Revenue & Government having reversed their own orders which decided that the registry lately ordered to be made in Baboo Row's & Banoobeyee's name have been reversed & that the Registry should singly be in Baboo Row's name, you will in written orders make known the matters to Baboo Row & Cummum Manager of

Pennoiumtaroo

From J. D. Robinson Esqre
Collector of Chittoor
To The Tassildar Venkayah &
Cholinger Talook &c
Dated 29th August 1859
Rec'd 1st Sept. 1859

Rec'd 29th August 1859
Ans. 29th August 1859
Copy to Baboo Row
Cummum Manager
Pennoiumtaroo

Appealing against the reversal of orders directing the registry of Pennoiumtaroo Village to be made in the name of his late grandfather & his family, may be forwarded to the Secretary of State.

Board's Proc. 2nd Sept. 1859
No 227.

Rec'd 29th August 1859
Ans. 29th August 1859
Copy to Baboo Row
Cummum Manager
Pennoiumtaroo

Rec'd 1st Sept. 1859
Ans. 2nd Sept. 1859
Copy to Baboo Row
Cummum Manager
Pennoiumtaroo

Board's Proc. 2nd Sept. 1859
No 227.

Rec'd 29th August 1859
Ans. 29th August 1859
Copy to Baboo Row
Cummum Manager
Pennoiumtaroo

Rec'd 1st Sept. 1859
Ans. 2nd Sept. 1859
Copy to Baboo Row
Cummum Manager
Pennoiumtaroo

Board's Proc. 2nd Sept. 1859
No 227.

No 227-233

of the village I you will act as according as the rules

26th August 1859 /Signed/ J.D. Robinson
Actg Govt

Pedegree 1

Orist. Grantee Gondapalli — His brother — 2 Ram Row

No male Issue

adopted Son — 1st Son 3 — 2d Son 4

Seemvasu Row (No 3) — Seemvasu Row — Krishna Row

Son

Babu Row — Wedono Banoboyee

Present-holder — Jorawer Registrer Nomad

The Family Sketch of the Inghiredar of Cotamapore the Emmarialist

Cristnarow pet — proprietor of jajeer

his Orist Son — 2d Son — Youngest Son

Ringerow petitioner — Ramamoorta Row Present — Rama Row

his Son Jarow — the Petitioner

No 227 - 230

Ramamoortarow

25

Copy in a Letter to Capt Lewis
of 20th May 1862 N. 34

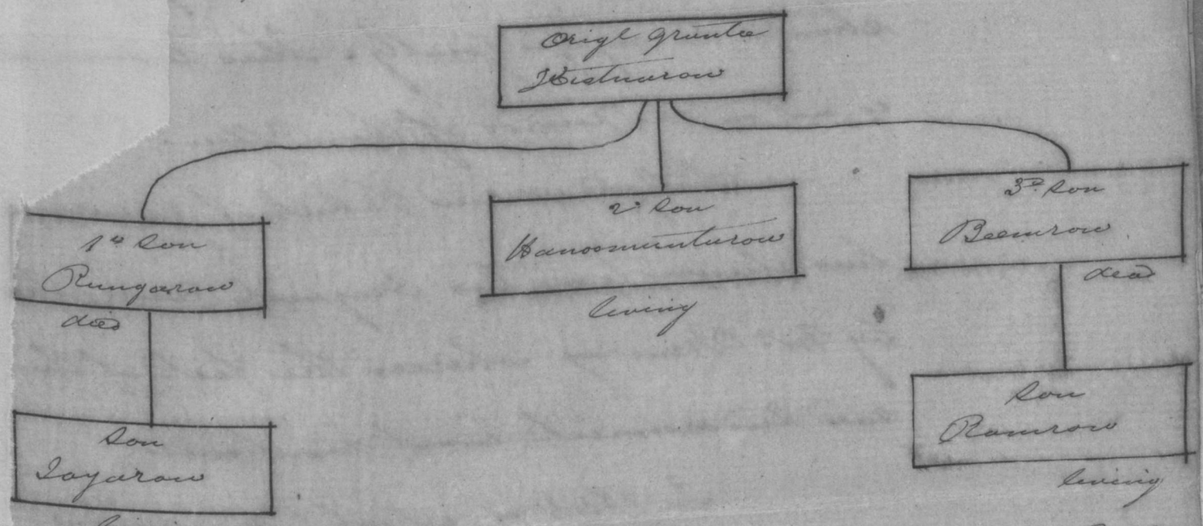
Rec'd 17.04/62.
11

~~Rec'd Jan 24 64/61~~

13th March/62
C N. 565
D 228.

Report submitted by the Deputy Inam Commissioner to the Head Inam Commissioner under date the 25th October 1861.

Jaghier Villages of Tatamaporeum Pc.



Refering to the late Collector Mr. Hamburg's Maratta Bookoom it appears as thus. "Beta" is meant "son". If a stroke is dashed over the last letter "ta" it is meant "sons". It is suspected that that dash had been set since. Banoomuntarow has shewn the Copy of the said Bookoom in which too the dash appears to have been since dashed over the letter "ta". The Original of the said Bookoom must be seen, which the Talook Officials said is not forthcoming in the Talook records.

Banoomuntarow

Revenue 1802 Old Pc.
Orig Pagoda Pc. 2434

From
Jaya Row Sahib
Huzoor Sheristadar
Extract from Tatamaporeum Chitty
Cuddapah Talook

Dated 15th October 1861.
Received 15th October 1861.

Sir,

In obedience to the orders contained in your Letter dated 8th instant I have the honor to state, that Village of Tatamaporeum Saw mill Registration Book was not found in the Talook Cutcherry. I have therefore caused search to be made in the Talook Cutcherry but the Book could not be found. I have therefore caused search to be made in the Talook Cutcherry but the Book could not be found.

I have the honor to be
Sir
Your most obedient
Servant
Jaya Row Sahib
Sheristadar

Capt. Reid &c
&c &c &c
Cuddapah

No 228.

24.7.94
19-12-94

Pc 1 To May 1853 Rs. 10-12
" 2d June 1858 " 60-61
" 1st April 1859 " 92
Copy sent to Collector Bangalore
2nd May 1862 No. 94.

Pc 227-230

Kanoonnaturoo has shewn me Copy of an Endorsement made by Wm. Forbes stating that Jayarow had claimed before that Gentleman in 1851. and that that Endorsement decided that the Gaghear should be enjoyed jointly. This Endorsement is not on the records of the Office.

Chetty Beeroo Vakeel of Jayarow has shewn to me two Original Orders passed by Wm. Murray wherein the fact of the said Endorsement is not mentioned.

In 1844 in which Rungarow died, Jayarow was 15 Years Minor. Ever since he (Jayarow) continues to lay a claim to the exclusive possession of the Gaghear. No division of the real property being the lands of the Gaghear Villages, has taken place to this moment.

Rungarow had exclusively the possession and enjoyment.

Seal

From Mr. R. Asst. Coll. Mayne of Cuddapah.

To Rungaroo

Jagheerdar of Catamapooram

I have addressed an Arzee under date the 9th instant reporting that the Curnum of the Cusbah Catamapooram having appropriated the collection money for his own use, and evaded the kist due by him on the Jeroyette lands he cultivated, and further acted in connivance with the other cultivators, he (Curnum) has been for want of trust removed from his Office, and that you are taking measures from his own brother Bistnien, and requesting that Orders should be favored to the Jagheerdar of the situate to look inorder that the duty of procuring the Bogue Vesabady Accounts, and the collecting the tax of that Branch which should go to the Circar might be ordered to be performed by the

Copy sent to Lt. Col. Cotton
Dy 20th Aug 1802 Dft. 34

Deputy Secy
Commissioners Office
Cuttack Commissioner
By Taylor.

R. 25 Sept 02

the said Kistnah" As the said
Villages are Yanadygaheer Villages, you
have Authority yourself to remove the
Curnam of the (Curnum & Servants)
practiced frauds, and nominate a successor,
from out of the Hissadars (Sharers) of the
incumbent who may be capable of
discharging the duties of that Office.
Admitting your proposition orders
have been sent to the Jaguebar of
Chittoor in order that the business of
the collection of Motarpha &c might
be taken from the said Kistnah.
You will know this.
13th September 1843 or fusly 1253

Cuddapah.

(Signed) D Magne
A & Agt. Coll.

Exd

(Signed) Narrainarow
Dy Moonshee
Hoozoor

To

J. W. Sim[l] Esq[re]
Secretary to Government
Fort Saint George
Revenue Department

Sir,

With reference to my Memorial to the Right Honorable the Secretary of State dated the 27th August last & to my letter of the 15th Instant I take the liberty to enclose two more papers rec[d] from the Head Assistant Collector of Cuddapah Mr. Mayne dated in 1843 and another from the Vepury Collector under the Inam Commissioner dated 25th Instant in view to strengthen my claim to the exclusive Registry & possession of the Bazaar & Catamaram attached to the Chitravale Talook in Cuddapah, and to request that these papers may be put with my Memorial & forwarded to the Home Authorities with your favorable recommendation as soon as practicable, for it is now above two months I received no information of its having been dispatched to its address

I remain,
Sir,
Your Most Obed[t] Servt

Madras
31st October 1861.

Copy of a letter to Govt
dated 20th May 1862 No. 34

Collectors Order
to Vepury arrears
13th Oct[r] 1862
R. 2589/62

Three

R. D. 35

Rev. Dep. 2092
2434
2589

No.

To

The Right Honble. the Secretary of State
for India

Right Honble. Sir,

1. We forward a Memorial from one of the holders of Eteeia pur and two other Jahgir villages in the Cuddapah District praying that our orders may be set aside and that he may be recognized as head of the family and be allowed to manage the Jahgir.

2. His ancestor the original grantee came into possession of these villages in the manner described in the despatches marginally noted. He died in 1818 leaving three

Impelling would be to maintain the right of the descendants of Mr Eldest Son - but I am not aware that this is recognized by the Hindoo Law of Succession - it would be as well to be able to affirm some principle with reference to Enam Lands of this kind and a reference might be made to the Enam Commr for report generally as to the custom which obtains with reference to this.

I do not object to the proposed reference but these cases vary much & should be dealt with on their individual merits where the Sunnud does not bear out Petitioners claim & the Estate has been held jointly for long. The

To England 8th March 1805 Political Dept. paras 167-169.
From England 28th Feby 1806 - p. 36.

Initials to the Opinion
that the Eldest Son

Revenue 1862 Oct. 1
No. 2589

From
Jaya Row Sahib
- dar of Cattamanchee
Estate Jaloogan
Cuddapah

Dated 31st Oct. 1862
Rec'd 10th Nov. 1862
G.O. 22nd Dec. 1862

Requesting certain Documents may be sent him to enable him to establish with Government his hereditary claim to the Inam Villages of Eteeia pur and two other Villages in the Cuddapah District

Copy in a Letter to Govt
No 20 dated 1st May 1862 Ct. 34

24.7.94
19-12-94

Rec'd Board's
Proceedings
Dated 10th Dec. 1862
No 2589

No 229.

Bd's Proceedings 8th Dec.

three sons, the eldest of whom was the present Memorialist's father. It is on this ground of primogeniture that Memorialist urges his appeal.

3. From the report of the Acting Collector of Cuddapah forwarded to Govt. with the Proceedings of the Board of Revenue dated 12th March 1861 & No. 1362 - copy of which is appended - you will perceive that on the death of the original grantee in 1818, his three sons held the jahgir jointly, and that on the death of Rungaraw (Memorialist's father) in 1842, the remaining brothers and the Memorialist who had then attained years of discretion, divided the property, both real and personal: no objection being raised by the Memorialist till 1851. The Board of Revenue under

x Dated 18th May 1859.

under these circumstances, saw no reason for complying with his application to be entrusted with the sole management of the villages in question, and their decision was confirmed by us on appeal.

4. We see no reason now, after considering the further papers and arguments put forward by the Memorialist, to doubt the propriety of our decision. There is nothing in the Sanad originally granted to his grandfather, by which the management of the Jahgir is restricted to the eldest sons. The case referred to by Memorialist in support of his assertion that such mode of succession is recognized in this Presidency in the case of Jahgirs generally is that on which Lord Stanley passed orders

in

in his Despatch marginally noted; the decision in that case does not bear however on the present point. Under these circumstances and as the Jaghir has been for many years in the joint enjoyment of the Immediate and the relations whose right he now disputes, we cannot recommend that any change should be made.

15th Decr 1858 No 11. para 13.

Proceedings of the Madras Govt in the succession in the Tanjore Jaghir

C J W

I D S

To Home Govt

Seya Rows case

Rev Depart.

38

No 565.

Proceedings of the Madras Government under date the 13th March 62.

Read the following letters from Seya Row the Jahgheiredar of Ettanapore in Cuddapah District.—

(Here date 28th Augt 16th Jan 31st Octr 1861.)

These papers relate to a Memorial to the Secy of State from Seya Row one of the holders of Ettanapore and two other Jaghire villages in the Cuddapah District praying that an order of this Govt may be set aside and that he may be recognized as head of the family and be allowed to manage the

Ord

G.O. to be written referring the petn to the Board of Revenue for their opinion

Draft to be given to Chapl

3 March 1862

the Jaghire -

2 Vistna Row the ex-
original grantee passed
allowed the Jaghire as
a reward for having
attended on Major General
Wellesley throughout the
campaign against the
Maratta chieftains
and on Major Malcolm
during that officer's mis-
-sion to the Court of
Dowlat Rao Scindia -
The Sanad is dated
7th June 1805 and the
terms are that he and
"his heirs" are to enjoy
it free of all assess-
-ment - He died in
1818 leaving three sons,
the eldest of whom
was the present Memo-
-rialist's father - His
on this ground of pre-
-mogeniture that Memo-
-rialist urges his appeal-

× dated 18th May 1859.

3. From the report of
the Acting Collector of
Cuddapah forwarded
to Govt with the Proceed-
-ings of the Board of
Revenue dated 12th
March 1861 No 1362 it
appears that on the
death of the original
grantee in 1818, his three
sons held the Jaghire
jointly, and that on the
death of Renga Row
(Memorialist's father)
in 1844, the remaining
brothers and the Memo-
-rialist who had then
attained years of dis-
-cretion, divided the pro-
-perty, both real & person-
-al: no objection being
raised by the Memorialist
till 1851. The Board of
Revenue, under these
circumstances, saw no
reason for complying
with

with his application to be entrusted with the sole management of the villages in question, and their decision was confirmed by the Govt on appeal.-

4. Before however the memorial transmitting to the Secretary of State or otherwise disposing of it the Govt resolve to refer the papers to the Indian Commissioners and to request them to report generally as to the custom which obtains in the country in regard to succession to such Jaghires, viz.t whether it devolves solely on the son of the eldest male member or on all the surviving male members of the family jointly.-

Ogilvie

Copies to the Board of Com with 10 Sept Enclos Oct 5th 14

Rev. Nos. 2072. 2434. 2589 — 40

1 January

In his letter marginally noted the Secretary to the Govt of India made known to the Madras Govt the resolution of the Governor General to confer a reward on Kistna Rao who had attended on Major General Wellesley throughout the campaign against the Mahratta Chieftains and on Major Malcolm during that Officer's mission to the Court of Dowlut Row Scindia. The reward proposed was the grant of certain villages in the Ceded districts which had formerly been, it was understood, in the possession of Kistna Rao's family.

The names and estimated revenue of these villages appeared from an enclosure to Mr Edmonstone's letter to be

	Annual Revenue
Yealcemarapooram	Ps — 3000 - 0 - 0
Nookanupully	1500 - 0 - 0
Sevalapully in the district of Chittoor ...	700 - 0 - 0
	5200 - 0 - 0

and these villages were therefore to be made over to Kistna Rao provided their revenues did not materially exceed the above mentioned estimate.

Instructions were accordingly sent to the Board of Revenue & a report was also made

23 January 1805. No 136

of the Court of Directors.

General Letter to England 8 March 1805 p. 47–49

The Board of Revenue having in reply submitted a report from Col. Munro the Collector from whom it appeared that the actual revenue of the villages in question did not exceed the amount so estimated above, the Govt of India were informed that a grant would be granted to Kistna Rao, and a similar intimation was at the same time sent to Mysore where Kistna Rao was at the time the principal Native Servant of the Resident.

* 27 May 1805

* 15 June 1805

From the same it appears that the villages in question were granted to Kistnah Row "and his heirs" free of all assessment — so long as he and they "continue faithful to his and "their allegiance to the British Govt" provided however that "if the family "of the said Kistna Rao shall at any "time fail and become extinct" the villages were to revert to the Honble Company.

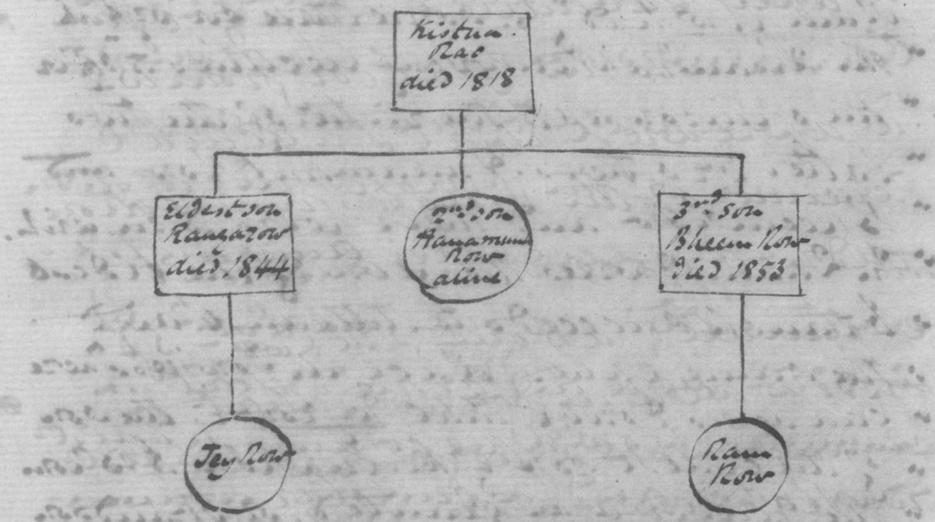
* dated 7 June 1805

These circumstances were reported to England and received the sanction of the Honble Court. as per their despatch 28 Febry 1806. para 36.

General letter to England 8 Sept 1805. paras 59 & 60.

The Jaghir described above has now become the object of dispute

† The Collector's letter recorded in Board's Pro. 12 March 1861 No. 1362. but from the memorial to the Secretary of State it appears to have been 1857.



The eldest son Rangarow died in 1844, leaving a son Jey Row. The second son Hanomunnah Rao is still alive. The third son Bheem Row died (subsequently to 1844 apparently) leaving a son Ram Row.

Jey Row now claims the Jaghir in sole possession of the eldest son of the original grantee. the present enjoyment being with the three survivors - viz. himself, his uncle, and cousin as shewn in the table above.

This claim was apparently brought forward in 1851 but it was not till 1858 that Mr Murray the Collector of Cuddapah recorded his opinion on the subject. From his memorandum of 20 Sept 1858 it appears that on the death of the original grantee the first and second of the above mentioned villages came into the enjoyment of his three sons,

while the third went to Ettiraman Rau, brother of the original Jahgirdar. After noting that Jeyrow, his uncle Hanumanth Rau and cousin Rámrow had "for some time enjoyed the Inam", Mr Elwood declines to offer an opinion as to the right of the two latter brothers Hanumanth Row and Bheemrow and their heirs to inherit. "In Zamindaries the heirs of the eldest branch succeeds to the land and the same takes place in Jaygirs. Here can be no doubt that Jeyrow is the son of the eldest son of Ettiraman Row to whom the Jaygir was granted, a grandson of the original grantee - as to his succession there can be no doubt, but it is for you or the Board of Revenue to decide whether the original Jaygir is to be allowed to be frittered away by numerous subdivisions to distant relatives. The Collector is of opinion that Jeyrow ought to be invested with the management of the property as the heir male of the eldest son of the original grantee and the others ought to receive an allowance from him and be prevented from claiming a share. This however is for the authorities at the Presidency to decide; the Collector merely orders that the different parties enjoy the Inam as hitherto until otherwise decided by competent authority at the Presidency"

Jeyrow accordingly petitioned * 4 March 1859. the Board of Revenue to recognize

his right to the management on the ground that his father had had it before him, from 1818 to 1844, during which time the younger brothers had simply been supported out of the proceeds but on his father's death, and during his own minority they had usurped possession of the management and now declined to restore it.

This petition was referred to the District. Mr Fraser, Collector, reported that from the records of his office it appeared that on the original grantee's death, his three sons held the Jaygir jointly. "Mr Haubroe's (the then Collector's) order "to the effect, that one, of Ettiraman's "sons held the Jaygir during Minority. "The Jaygir is so held to this day. Mun- "galoor, the eldest son died in 1844; "and at that time the petitioner Jeya- "row was between 16 and 18 years "old. Within one year after Mungaloor's "death the brothers divided their pro- "perty both real and personal. Jeya- "row made no complaint or "representation regarding this to the "authorities till the year 1857. It "may therefore fairly be assumed "that Jeyarow was a consenting party "to the joint enjoyment of the "Jaygir, and the partition of property. "and that his claim to be considered "sole heir to the Jaygir & the exclusion "of his uncles, is an after thought."

13 June 1859. The Board accordingly informed Petitioner that the long enjoyment by the other members of his family

* May 18/59

was it necessary that the previous order of things should be maintained.

Pel. No 366 of 1861.

Jeyarow thereupon appealed to Government. He accused his uncle of fraud in having availed themselves of his minority to conduct the affairs of the Jaghir in their own names jointly with his. The Board, he said, had not apprehended his request: he had merely asked to be allowed to manage the affairs of the Jaghir, not to deprive them of the employment & support from its revenues. He dated the joint management from the date of the decease of his grandfather the original grantee, and reiterated his assertion that his father Rungaroos was solely in charge till his death in 1844. in support of which statement he alludes to certain Pattas and accounts which bear his father's seal and signature alone. and urges that should the contrary be found to be the case it must be the work of his uncle &c. who have thus committed forgery.

Upon this appeal the Govt on a review of the correspondence noticed above declined to interfere with the decision made by the Board of Revenue.

4 April 1861.

The Memorialist now addresses Government & states that which

* enclosure to the present Memorial

a reversal of the order of this Govt because, among other reasons already alluded to, it has been customary in the Madras Presidency to recognize the elder sons in cases of succession to Jaghirs, Zamindaris &c. and one & two cases in point are referred to by him.

The first relates to the "Ellindon Jaghir" in Mysore, which, appears from an authenticated copy of a letter addressed by General Cubbon on the 23rd July 1853 to our Travancore Ross was restored to that individual as being the descendant of the elder member of that family.

Another is the case of a Jaghir granted to one Soondapah, and which was subdivided among the brothers by order of the Government whose proceedings were however reversed (according to the Memorialist's statement) by the Home Authorities who directed the recognition of the last holder.

This appears to be the same case as that alluded to in a further address from Memorialist dated 15 October 1861, and the circumstances connected with which are detailed in the correspondence marginally noted. It does not however help the present claimant at all. The Secretary of State there decided in favor of the legality of the certain adoption made by the original grantee

Ecd. 7 May 1857 No. 429. R.D.
Ecd. 21 June 1858 No. 858. RD.
To England 30 June 1858 - No. 32. RD
From England 15 Dec 1858 - No 11 - para 13.

of an inam village and directed that the village should be placed in the possession of the son of the said adopted son instead of being enjoyed by the said son and the widow of his uncle, whose joint occupation had been sanctioned by the Local Government, not in consequence of any legal right (for that was not recognized), but because from motives of humanity it did not seem desirable to deprive these individuals of a village which had long, though unlawfully, been in their family. The decision of the Secretary of State created anew a right: and there was only one person - viz. the son of the adopted son, who could claim direct descent from the original grantee - & his sole right to succeed was therefore unquestionable -

In further support of this claim the Memorialist has in a third address dated 31 October 1861 furnished a translation of what purports to be an order issued in 1843 or Fasli 1253 by Mr D. Mayne then Head Assistant Collector of Cuddapah to the address of Ramgarow, (the memorialist's father) in which the

said Ramgarow is referred to alone (without any mention of his brothers) as having authority, in his capacity of Jaleegidar, to dismiss the curnum of one of the Jaleeja villages for fraud — this order being in support of the memorialist's assertion that his father had sole charge of the Jaleegi and that his two brothers did not have anything more in the management till after Ramgarow's death.

The memorialist also forwarded with the same address an unauthenticated copy of a "Report submitted by the Deputy Collector to the Inam Commissioner" dated 25 October 1861 on this Jaleegi - in which it is stated (with reference apparently to Mr Fraser's report of May 18th 1859) that the word "Beta" which was used in Mr Anbrey's chittaella order therein alluded to, and which means "son", would, by a stroke over the last letter, become "tanu", and that it did not seem impossible that this dash which made the word plural, had been added subsequent to the date of the order. A copy of the said order which was in the possession of Hanmanta Row, (Memorialist's uncle and opponent) had the appearance - but the original which ought to have been in the Valley Cutcherry was not forthcoming.

N.B. The deputy Collector writes probably from the Valley Cutcherry and has not therefore referred to any thing which may be in the Anagundy Cutcherry

The Deputy Collector further states that "no division of the real property being "the lands of the Jahgir villages has "taken place to this moment" and also that "Rangarow had exclu- "sively held possession and enjoy- "ment." Both these assertions, especially the last are opposed to the conclusions arrived at by Mr Fraser in his letter of 18 May 1850 to the Board of Reve- nue.

What course then is to be pursued regarding the present Memorial? Is it to be forward- ed at once to the Secretary of State, or should the Inam Com- missioner be desired to furnish a report upon it?

It may be remarked that succession to inams which can only revert to Government as other landed property would, by escheat, on an utter failure of heirs enti- tled to inherit, (of which kind the present inam may, from the terms of the Grant, be consi- dered to be) has been declared to be regulated by the same laws that govern the inheritance of Malgoozary lands-

Vol. 2. Board of Revenue Circulars Page 501

Cyll Nov 26th 1851

Memo on the
Case of Jeya Rám a
Jáhgeedar in
Cuddapah

Copy in a Letter to England
d/20th May 1862 N.34

24-7-64
19-12-64
9-20 D
13-7-64

Jeya Rows case

Revenue 1862 Dept.
Rec: of Govt. for March
N: 565.

Rec: of the Madras Govt.
d/13th March/62.

Further C N:1207. from the Ds: Com:
26 April/61 Rec: 19 May/62 N:1102
Further Ltr: 22 Sept/62
No. 2056

Passing orders on letters from Jeya Row, Jaghir: dar of Estampur, Cuddapah District, praying that an order of this Government may be set a side and that he be recognized as head of the family and be allowed to manage the Jaghire.

N: 227 at 230.