M.R.O. 14 -6,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 3044 Press / ~~Mis~~

127.128

Dated 16 — 12 — 1865.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 16th December 1865.

No. 127. Read the following Proceedings of the Board of Revenue, dated 13th November 1865, No. 7,260.

Read the following letter from the Collector of Madras, to the Acting Secretary to the Board of Revenue, dated Saidapet, 24th February 1865, No. 55 :—

Government, No. 3,464 of 1863, Board's No. 15 of 1864.
Do. „ 630 of 1864, do. 139 of „

1. I have the honor to submit the following report on the Government Petitions marginally noted, presented by the widow of Mahomed Abubakar Fakirudin Alli Khan, the late Cazee of Madras, praying for the restoration of the village of Carimanal which had been wrongly made over to the present Cazee, under the Orders of Government, dated 6th August 1862, No. 932.

To Board, 31st March 1814.
Do. 7th October 1822.
Do, 31st August 1837, No. 89.
Do. 9th April 1838, No. 64.
From Board, to Chief Secretary to Government, 28th May 1838, No. 218.
To Board, 7th July 1839, No. 132.
Do. 25th September 1839, No. 179.
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Do. 19th October 1854, No. 365.
To Board, 24th January 1855, No. 19.
From Chief Secretary to Government, 6th August 1862, No. 932.

7th October 1822.

2. Of the numerous records connected with the history of this case, those marginally noted have particular reference to the subject. From these it appears that the village in question was originally granted to Fakirudin Mahomed Abubaker in Hijiri 1174, by the then Mahomedan Government, on condition of his performing the duty of Cazee of Madras. The village was subsequently conferred as Inám on his son Mahudien Mahomed Abubaker, under a Purwanah of the Nabob Wallajah, dated 6th Jamadoolaval Hijiri 1175 (A. D. 1760), it was to be enjoyed by him and his heirs in perpetuity, and without any conditions. This clearly appears from paragraph 9 of Mr. Smalley's report, marginally noted (Mr. Smalley from his report appears to have himself perused the Purwanah), as also from Mr. Maclean's letter of the 31st August 1837, No. 89, where also in paragraphs 5 and 6 the village is stated to have been conferred as an Inám to be enjoyed in perpetuity.

3. There is a slight informality in the Nabob's Purwanah, which was noticed by Mr. Smalley ; but this was fully explained away by Mr. Maclean in his letter of the 9th April 1838, No. 64, paragraph 5, in which letter also was included a translation of an authenticated copy of the Purwanah itself granted by the Nabob Wallajah. From this translation the village distinctly appears to have been given in perpetuity to Abubaker and his family for their maintenance.

4. The Purwanah of the British Government given after the cession of the Jaghire also gave the village in perpetuity to the said Cazee and such of his direct heirs as had suitable qualification and fitness to fill the post of Cazee of Madras, then held by him (Abubaker). Upon the inferences drawn from the above-mentioned Purwanah, the Government of Madras, in 1855, appears to have come to the conclusion that the Inám was a service one ; but the Inám Commissioner who recently inquired into this case arrived at a different conclusion, and decreed that it was an hereditary and personal grant, and accordingly granted a title deed to Mahomed Abubaker Fakirudin Alli Khan Sahib, the husband of Petitioner, but the village was never made over to him.

5. From the various letters connected with this case, and the allusions in them, there can be no doubt as to the original existence of Wallajah's Purwanah. But the question to be determined is, whether the later Purwanah of the British Government, making the village apparently a service grant, is to supersede that of Wallajah, which made it an hereditary personal grant.

6. The original of the British Purwanah is doubtless to be obtained in the Government records, and before coming to a final decision the Board of Revenue can refer to it. In the meantime the village is, as stated in the commencement of this report, in the possession of the present Cazee of Madras, to whom it was granted by the Government, and from whom now, if the Government should see fit, it might be resumed and transferred to the Petitioner.

ENCLOSURES Nos. 1 and 2.—Petitions.

1. In this letter the Collector submits the report called for by Government on Petitions 3,464 of 1863 and 630 of 1864, presented by Afzul-oon-Nissa Bibi, the widow, and Mahomed Sahib, the brother-in-law of the late Mahomed Abubaker Fakirudin Alli Khan Sahib, Cazee of Madras, praying that so much of the Order of Government, dated 6th August 1862, No. 932, Public Department, as directed the present Cazee Abdul Cawder to be put in possession of the village of Karai Mundalum (Coramandel) may be cancelled, and the village restored to them in trust for Mahomed Abubaker Zynooddin Ahmed, the heir of the deceased, since it was not, as alleged in the Order, assigned as an endowment for the support of the Cazeeship, but was the private property of the late Cazee.

2. In support of their statements, Petitioners produce copy of the Purwanah granted in Hijiri 1175, (A. D. 1760) by the Nabob Wallajah (which will be more particularly noticed further on); a title deed given by the Inám Commissioner, dated 25th November 1862, recognizing the rights of the late Cazee to a Shrotriem in the village of "Karimanal" Talook Ponneri, claimed to be on acres 2,224 dry, and 497 wet land, and confirming it to him as a freehold in perpetuity, subject to an annual quit-rent of Rupees 332; and an extract from the Register of the same village, (prepared in the Inám Department), exhibiting further particulars relative to its enjoyment and the reason of its grant, which was entered as "apparently for the personal benefit of the holder."

3. Though the *original* Purwanah of the Hijiri 1175 (A. D. 1760) is not forthcoming, copies of, and references to it, are to be found among the Board's records. One copy of it accompanied Mr. McDonell's report of 31st March 1814, another Mr. Maclean's letter of 9th April 1838. *There is no very material* difference between these copies; nor is there any *great* discrepancy between them and the *translation* which accompanies *Petition* 3,461 of 1863. They show that the village of Karai Mundalum was, in Hijiri 1174, originally conferred upon Fakirudin Mahomed Abubaker as remuneration for the performance of the duties of Cazee of Madras, and that at the request of the said Fakirudin, and in consequence of his respectability, &c., the terms of the grant were changed, and the village given to the said Fakirudin's son and his heirs in perpetuity without the condition of holding the office of Cazee. Copies of these papers are given at length below.

4. In an extract* from the Minutes of the Jaghire Committee, under date 2nd July 1784, reference is made to "the Nabob's Purwanah, "dated two years previous to the grant of the "Jaghire to the Company giving him† the "village of Careemanala as Inám," which was produced by the Cazee before the Committee, who expressed themselves as "perfectly satisfied with the authenticity of the Sunnud."

* Enclosure to Mr. McDonell's report, dated 31st March 1814.

† The Cazee.

5. Mr. Smalley in 1822‡ thus alludes to it:—"There is some informality in the Pur-"wanah; but I apprehend there is no real cause "to question its authenticity. The grant is in the name of His Highness the Nabob Wallajah but "the Seal affixed to it is that of Anavardy Khan. It seems that the Inám was originally bestowed "by Anavardy Khan as a remuneration for service to be performed. The existing Purwanah "states that the Inám is given without conditions being stipulated."

‡ 7th October 1822.

6. In a letter written by Mr. Maclean, Collector of Chingleput, dated 31st August 1837, the following passage occurs:—"The records of the office shew that this village was originally "granted during the Mahomedan Government on a permanent lease to Fakirudin Mahomed "Abubaker, who was then Cazee of Madras and other places. It was subsequently conferred "as an Inám upon his son Cazee Moh-ud-deen Mahomed Abubaker by His Highness the Nabob "Wallajah, under a Purwanah bearing date the 6th Jamadoolavul Hizri 1175 (A. D. 1760) to be

"enjoyed by him and his heirs in perpetuity, and transferring to him the whole of the resources "of the village. The original Purwanah is not forthcoming. After the cession of the Jaghire to "the British Government, a Purwanah, dated 2nd August 1779 was granted in the name of Moh-"ud-deen Mahomed Abubaker confirming the former grant on its original terms.

"Moh-ud-deen Mahomed Abubaker died in 1830, and his son, the present Cazee, is the "present claimant. The Inám was granted as a remuneration for the due performance of services "connected with the office of Cazee of Madras."

7. In the following year, Mr. Maclean again* refers to the two Purwanahs in the following terms:—"The Purwanah† of the Nabob Walla-"jah conveyed to the Cazee and his heirs in "perpetuity the whole of the resources of the "village comprizing salt pans, sea wrecks, "chanks, Sayer duties, anchorage, &c., yielding annually Pagodas 1,341, and the Purwanah of "the British Government confirmed the above grant, adding that the village was alienated as a "remuneration for services connected with the office of Cazee of Madras."

* 9th April 1838.

† A. D. 1761, (Hizri 1174.)

8. The same letter goes on to say:—"As regards the informality in the original Purwanah, "noticed by Mr. Smalley in his report to your Board, dated 7th October 1822 * * * I made "particular inquiry into the subject, and it appears that the Nabob Wallajah, who granted the "Inám previous to obtaining the latter title, was commonly called Oomdut-ool-Mulk Serajut "Dowlah, and that his father was styled Anawarthee Khan Delaver Jung Bahader, and that, "according to an ancient custom, the Seal of the reigning Nabob usually contained the inscrip-"tions of his father's name, of which there are several instances. The British Government hav-"ing recognized this Purwanah, and granted one in its stead, it is hardly possible to entertain a "doubt as to the genuineness of the original document.

"The Inámdar states, that the original Purwanah granted by the Nabob is not to be "found amongst the papers connected with his village left by his late father; but he produced "a copy of it written on stamp paper, and attested by the Zillah Judge, Mr. Coleman, and it "appears to have been likewise registered in the Register's Court of Chingleput, under date the "24th August 1811, I therefore submit it, with a translation, together with the Purwanah of "the British Government, in the name of the Inámdar's father, with the substance of it written "in English in the margin, and attested by Mr. Haliburton, then Persian Translator to Gove-"rnment."

9. The Purwanah of 1799 (copy of the translation of which, as attested by Mr. Maclean, will be found below) states that "according to a Purwanah of His Highness the Nabob Wallajah, "the village of Carimundalum, otherwise called Shumspully, has been continued to Cazee Modeen "Mahomed Aba Baker for a great length of time, as maintenance to enable him to perform the "services attached to the Cazee of Madras, and is also included in the Honorable Company's Jag-"hire. It has now been confirmed by the British Government in perpetuity upon the said Cazee "and such of his direct heirs of suitable qualification and fitness on account of the office which he "fills."

10. It appears from the papers noted in the margin, that the original Purwanah was supposed to be in existence but concealed. It was never discovered; and there seems now no reason to suppose that it had been hidden; but the following extract from Extract Minutes of Consultation, 26th June 1839, shews that its authenticity was doubted:—"The absence of all "information connected with the grant of the

From	Government,	18th December 1838,	No.	1,621.
Do.	"	17th January, 1839,	"	70.
Do.	"	12th March 1839,	"	353.
To	"	28th do. "	"	118.
From	"	16th April "	"	503.
To	"	25th do. "	"	169.
From	"	20th June "	"	313.
To	"	10th October "	"	465.
From	"	29th November 1839,	"	1,508.

"village of Caroomanel to the ancestors of the Inámdar, on the records of Government and in the "office of the Persian Translator to Government, and a reference to His Highness the Nabob, with "the view of ascertaining whether any account was forthcoming in the Durbar records failing to "elicit any information, render the production of the original Purwanah more than ever necessary."

Board to Collector, 21st January 1841.

11. The original of the Purwanah granted by the British Government in 1799 was returned to the Inámdar in 1841.

12. It seems plain from the foregoing extracts that the Sunnud granted by the British Government in 1779 materially altered the terms upon which the village had been held since 1760. There is nothing on the records of the Board's Office to show how this discrepancy arose; that is to say, whether the alteration was intentional or the result of an oversight; but there seems no question that the privileges conferred by the original Purwanah have been lost sight of.

13. It will be for the Government to decide whether the Sunnud granted in 1779 is to supersede that of older date. The Board observe, however, that Government have already* expressed an opinion that the grant made by the British Government "which confirmed the grant of the "village *on its original*† *terms* can alone be "admitted in an examination of the Cazee's "rights, and that the Purwanahs of the Nabob Wallajah of an antecedent date have no bearing on "the right of the Cazee to the village." The Board have not before them the papers upon which the Order of 26th September 1854 was passed; but as it appears that the facts of the case were not at the time fully known, it may be thought desirable to modify the decision noted in the extract given above.

14. It will be noticed that in the same Order allusion is made to the original Purwanah of *this* Government as not being forthcoming; but, as has already been shown, it is the original *Nabob's* Purwanah which has been lost, and not the grant of 1779.

15. As pointed out by the Collector, the village is now, under Government Order, 6th August 1862, No. 932, Public Department, in the possession of the present Cazee, Abdul Cawder.

16. The Petitioners assert in the last paragraph of their Petition 3,464 of 1863, that there are separate sources of emolument for the person holding the office of Cazee. The Collector has not noticed this point.

Copy of a Purwanah under the Seal of Unwur-ood-deen Khan.

(Enclosure to Mr. McDonell's Report, dated 31st March 1814.)

Be it known to the present and future Aumils, Desmookheos, Despondies, Canoongos, Mookuddums, and cultivators of the Purganah of Puliaghaut, in the Tripassore Sirkar, dependant upon the Carnatic: Below the Ghâts, the Soubah of which is Moohummadpoor, commonly called Arcot. That according to the Purwanah, under our Seal, dated the 5th of Rubecoossanee, in the year of the Hijiree 1174, the village of Kuzemundalum, usually named Shumshee, together with the tax or duty from the salt pans, Ildaree,‡ the Khurmokra,§ and Sayer thereof, and the fees of anchorage, &c., attached to the above-mentioned Purganah, the total revenue from which amounts to Star Pagodas one thousand six hundred and forty-one (Star Pagodas 1,641) was confirmed on grant to, and enjoyed by the excellent Fukhur-ood-deen Moohummud Uba Bakeer, the Cazee of Madras, &c., on condition of his officiating in that office. The said Cazee has now requested that the above-mentioned village may be granted in perpetuity, and without the provision regarding the holding the Cazeeship, for the subsistence of his son Mood-ood-deen Moohummed Uba Bakeer, his descendants, relations, and dependants. In compliance therefore with the application to which our signature is affixed, and which is deposited in the Sudder Dufturs, we, considering the sincerity of his wishes for our prosperity, having conferred the village from the beginning of Fusly 1171 as an Inám, upon Moohu-ood-deen Moohummud Uba Bakeer, his descendants, relatives, and dependants from generation to generation, without the condition of holding the office of Cazee. It is required that you deliver over the said village and all that appertains thereto to the charge of Moohu-ood-deen Moohummud Uba Bakeer, son of the Cazee above described; that appropriating the proceeds to his own support, he may be employed in the worship of the Almighty, and in offering up prayery for the duration of our prosperity.

Regarding this as a peremptory order, be careful to act as directed, and be not requiring new Sunnuds every year.

Written on the 6th day of the month.

Jumadoolenvevul, in the year of the Hijiri 1175 for A. D. 1760.

Translation of the Purwanah by the Nabob Wallajah.

Seal.

(Enclosure to Mr. Maclean's letter, dated 9th April 1838.)

Be it known to the present Amildar, or Amildars, who may be appointed for the time, being Desamookeys, Desapendiahs, Canoogoes, Mootsuddies and Ryots attached to Arcot, or Tarunoor Mahomedpoor Sabah, subject to the Tripassore Sircar, in Pulicat Purganah, in the Payanghaut of the Carnatic; that according to the Purwanah, bearing my own seal, dated the 5th Rabiasani Hijiri 1174, the village of Caremundalum, otherwise called Shemsapully, yielding annually the sum of Star Pagodas 1,341, from salt pans, sea wrecks, chanks, Sayer duties, anchorage, &c., was originally conferred upon and continued to Fakeroodeen Mahomed Aba Baker as remuneration to fill the high office of Cazee of Madras Patnam, but as he has now requested (his Petition being filed in the records of the Durbar), that the village should be continued for ever in the name of his son Mohadeen Mahomed Aba Baker and his descendants solely for maintenance, instead of as remuneration to the office of Cazee, and in consequence of his respectability and his fidelity and interest in my welfare, I have accordingly resolved to grant the village as Inám to his son, the said Mohadeen Mahomed Aba Baker, and his heirs in perpetuity. He shall, however, enjoy the title of the Peish Inám or Head Priest from Fusly 1171.

You are therefore authorized to deliver over the village to the possession of Mohadeen Mahomed Aba Baker.

It will be the duty of the Inámdar to collect and enjoy the income, praying for my prosperity and welfare. He shall require no fresh Sunnud from year to year, as this is intended to serve as a permanent grant.

These instructions should be considered as peremptory and acted upon accordingly.

Dated 6th of Jamadlasany, Hizri 1175.

(True Translation.)

(Signed) A. MACLEAN,
Collector.

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* Extract from Minutes of Consultation, 26th September 1854, No. 305.

† Note.—The wording of the Sunnud of 1779, as well as of the note appended thereto by the Persian Translator, would seem to show that the Purwanah of $\frac{1175}{1760}$ was not before the writer at the time.

‡ Ildaree, whatever is thrown on the shore by the sea, as prices of wreck, &c., upon which the landholder takes a certain portion.

§ Khurmoker, the fees or duty upon the shells called Conchs, or nakoos.

Translation of the Purwanah by the British Government.

L. S.

(Enclosure to Mr. Maclean's letter, dated 9th April 1838.)

Be it known to the present Amildar, or Musthazer, or Amildars, or Musthazers, who may be appointed for the time being to Ponnary Purganah, and the villages subject to Pulicat, in the Jaghire of the Honorable Company; that according to a Purwanah of His Highness the Nabob Wallajah the village of Caremundalum, otherwise called Shemspilla, has been continued to Cawzee Moodeen Mahomed Aba Baker for a great length of time as maintenance to enable him to perform the services attached to the Cawzee of Madras, and is also included in the Honorable Company's Jaghire. It has now been confirmed by the British Government in perpetuity upon the said Cawzee and such of his direct heirs of suitable qualification and fitness on account of the office which he fills.

This Purwanah confirming to Cawzee Mohadeen Mahomed Aba Baker, the possession of the village of Caremundalum, *alias* Shemspilla, near Pulicat, within the Company's Jaghire, and which he enjoyed before the Nabob made over the Jaghire to the Company (as appears in a Decree given by the Choultry Court, dated 23rd July 1777) has been wrote in Persian by Order of the Honorable Sir Thomas Rumbold, Bart, President and Governor of Fort Saint George, and his large Persian Seal has been affixed thereto, with his permission, this second day of August 1779 by David Haliburton, Persian Translator.

You are, therefore, hereby empowered to make over the said village to the said Cawzee, and subsequently to his male heirs, and shall on no account defer doing so.

It will be the duty of the Cawzee, and his heirs to improve the rice cultivation, as well as the salt through the means of the Ryots and all other sources of income, and to protect the Ryots especially and support himself upon the income which he may derive from the village, continuing to fill the office of Cawzee with due attention.

You are to consider these as particular instructions for your guidance, and act as aforesaid.

Dated this 14th day of Rajub Hizery, One thousand one hundred and ninety, corresponding with the 22nd August 1779.

Written on the back:—

This Purwanah was written by Goolam Mahoodeen Moonshee, by order of Robert Haliburton, Esq., Persian Translator to Government.

(True Translation.)

(Signed) A. MACLEAN,
Collector.

No. 128. ORDER THEREON, 16th December 1865, No. 3,044.

Miscellaneous.

The Officiating Inám Commissioner will be directed to furnish Government with all the information to be found in his records, as to the grounds on which the Commissioner decided on the 12th November 1862 that the Karai Mundalum Inám was a personal Inám, and not a service grant, in opposition to Extract Minutes Consultation 26th September 1854, No. 365, Political Department, paragraph 4, and G. O. 6th August 1862, No. 932, paragraph 8.

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

No 127-128

21-3-94

Revenue 1865 Depart
Proceedings for December
No 3074
Proceedings of the Government
of 16 December 1865

(2)

16-12-65

No. 7,260.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 13th November 1865.

Read the following letter from E. G. R. FANE, Esq., Collector of Madras, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 24th February 1865, No. 55:—

Government No. 3,464 of 1863, Board's No. 15 of 1864.
Do. „ 630 of 1864, do. 139 of „

1. I have the honor to submit the following report on the Government Petitions, marginally noted, presented by the widow of Mahomed Abubaker Fakirudin Alli Khan, the late Cazee of Madras, praying for the restoration of the village of Carimanal which had been wrongly made over to the present Cazee, under the Orders of Government, dated 6th August 1862, No. 932.

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7th October 1822.

2. Of the numerous records connected with the history of this case, those marginally noted have particular reference to the subject. From these it appears that the village in question was originally granted to Fakirudin Mahomed Abubaker in Hijiri 1174, by the then Mahomedan Government, on condition of his performing the duty of Cazee of Madras. The village was subsequently conferred as Inam on his son Mahudien Mahomed Abubaker, under a Purwanah of the Nabob Wallajah, dated 6th Jamadoolaval Hijiri 1175 (A. D. 1760), it was to be enjoyed by him and his heirs in perpetuity, and without any conditions. This clearly appears from paragraph 9 of Mr. Smalley's report, marginally noted (Mr. Smalley from his report appears to have himself perused the Purwanah), as also from Mr. Maclean's letter of the 31st August 1837, No. 89, where also in paragraphs 5 and 6 the village is stated to have been conferred as an Inam to be enjoyed in perpetuity.

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4. The Purwanah of the British Government given after the cession of the Jaghire also gave the village in perpetuity to the said Cazee and such of his direct heirs as had suitable qualification and fitness to fill the post of Cazee of Madras, then held by him (Abubaker). Upon the inferences drawn from the above-mentioned Purwanah, the Government of Madras, in 1855, appears to have come to the conclusion that the Inam was a service one; but the Inam Commissioner who recently inquired into this case arrived at a different conclusion, and decreed that it was an hereditary and personal grant, and accordingly granted a title deed to Mahomed Abubaker Fakirudin Alli Khan Sahib, the husband of Petitioner, but the village was never made over to him.

5. From the various letters connected with this case, and the allusions in them, there can be no doubt as to the original existence of Wallajah's Purwanah. But the question to be determined is, whether the later Purwanah of the British Government, making the village apparently a service grant, is to supersede that of Wallajah, which made it an hereditary personal grant.

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4. In an extract* from the Minutes of the Jaghire Committee, under date 2nd July 1784, reference is made to "the Nabob's Purwanah, "dated two years previous to the grant of the "Jaghire to the Company giving him† the "village of Careemanala as Inam," which was produced by the Cazee before the Committee, who expressed themselves as "perfectly satisfied with "the authenticity of the Sunnud."

5. Mr. Smalley in 1822‡ thus alludes to it:—"There is some informality in the Pur- "wanah; but I apprehend there is no real cause "to question its authenticity. The grant is in the name of His Highness the Nabob Wallajah; but "the Seal affixed to it is that of Anavardy Khan. It seems that the Inam was originally bestowed "by Anavardy Khan as a remuneration for service to be performed. The existing Purwanah "states that the Inam is given without conditions being stipulated."

6. In a letter written by Mr. Maclean, Collector of Chingleput, dated 31st August 1837 the following passage occurs:—"The records of the office show that this village was originally "granted during the Mahomedan Government on a permanent lease to Fakirudin Mahomed "Abubaker, who was then Cazee of Madras and other places. It was subsequently conferred "as an Inam upon his son Cazee Moh-ud-deen Mahomed Ababuker by His Highness the Nabob "Wallajah, under a Purwanah bearing date the 6th Jamadoolavul, Hizri 1175 (A. D. 1760) to "be enjoyed by him and his heirs in perpetuity, and transferring to him the whole of the resources "of the village. The original Purwanah is not forthcoming. After the cession of the Jaghire to "the British Government, a Purwanah, dated 2nd August 1779 was granted in the name of "Moh-ud-deen Mahomed Ababaker confirming the former grant on its original terms.

"Moh-ud-deen Mahomed Ababaker died in 1830, and his son, the present Cazee, is "the present claimant. The Inam was granted as a remuneration for the due performance of "services connected with the office of Cazee of Madras."

7. In the following year, Mr. Maclean again* refers to the two Purwanahs in the following terms:—"The Purwanah† of the Nabob Walla- "jah conveyed to the Cazee and his heirs in "perpetuity the whole of the resources of the "village comprizing salt pans, sea wrecks, "chanks, Sayer duties, anchorage, &c., yielding annually Pagodas 1,341, and the Purwanah of the "British Government confirmed the above grant, adding that the village was alienated as a remu- "neration for services connected with the office of Cazee of Madras."

8. The same letter goes on to say:—"As regards the informality in the original Purwanah, "noticed by Mr. Smalley in his report to your Board, dated 7th October 1842 * * * I made "particular inquiry into the subject, and it appears that the Nabob Wallajah, who granted the "Inam previous to obtaining the latter title, was commonly called Oomdut-ool-Mulk Serajut "Dowlah, and that his father was styled Annwarthee Khan Dilaver Jung Bahader, and that, "according to an ancient custom, the Seal of the reigning Nabob usually contained the inscrip- "tions of his father's name, of which there are several instances. The British Government "having recognised this Purwanah, and granted one in its stead, it is hardly possible to enter- "tain a doubt as to the genuineness of the original document.

"The Inamdar states, that the original Purwanah granted by the Nabob is not to be "found amongst the papers connected with his village left by his late father; but he produced "a copy of it written on stampt paper, and attested by the Zillah Judge, Mr. Coleman, and it "appears to have been likewise registered in the Register's Court of Chingleput, under date the "24th August 1811, I therefore submit it, with a translation, together with the Purwanah of "the British Government, in the name of the Inamdar's father, with the substance of it written "in English in the margin, and attested by Mr. Haliburton, then Persian Translator to Govern- "ment."

9. The Purwanah of 1799 (copy of the translation of which, as attested by Mr. Maclean, will be found below) states that "according to a Purwanah of His Highness the Nabob Wallajah, "the village of Carimundalum, otherwise called Shumspully, has been continued to Cazee "Modeen Mahomed Aba Baker for a great length of time, as maintenance to enable him to per- "form the services attached to the Cazee of Madras, and is also included in the Honorable "Company's Jaghire. It has now been confirmed by the British Government in perpetuity "upon the said Cazee and such of his direct heirs of suitable qualification and fitness on "account of the office which he fills."

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* Enclosure to Mr. McDonell's report, dated 31st March 1814.

† The Cazee.

‡ 7th October 1822.

* 9th April 1838.

† A. D. 1761, (Hizri 1174.)

10. It appears from the papers noted in the margin, that the original Purwanah was supposed to be in existence but concealed. It was never discovered; and there seems now no reason to suppose that it had been hidden; but the following extract from Extract Minutes of Consultation, 26th June 1839, shows that its authenticity was doubted:—"The absence of all "information connected with the grant of the "village of Caroomanel to the ancestors of the Inamdar, on the records of Government and in the "office of the Persian Translator to Government, and a reference to His Highness the Nabob, "with the view of ascertaining whether any account was forthcoming in the Durbar records failing "to elicit any information render the production of the original Purwanah more than ever "necessary."

From	Government,	18th December 1838,	No. 1,621.
Do.	"	17th January 1839,	" 70.
Do.	"	12th March 1839,	" 353.
To	"	28th do. "	" 118.
From	"	16th April "	" 503.
To	"	25th do. "	" 160.
From	"	26th June "	" 813.
To	"	10th October "	" 465.
From	"	29th November 1839,	" 1,508.

Board to Collector, 21st January 1841.

11. The original of the Purwanah granted by the British Government in 1799 was returned to the Inamdar in 1841.

12. It seems plain from the foregoing extracts that the Sunnud granted by the British Government in 1779 materially altered the terms upon which the village had been held since 1760. There is nothing on the records of the Board's office to show how this discrepancy arose; that is to say, whether the alteration was intentional or the result of an oversight; but there seems no question that the privileges conferred by the original Purwanah have been lost sight of.

13. It will be for the Government to decide whether the Sunnud granted in 1779 is to supersede that of older date. The Board observe, however, that Government have already* expressed an opinion that the grant made by the British Government "which confirmed the "grant of the village *on its original† terms* "can alone be admitted in an examination of "the Cazee's rights, and that the Purwanahs of the Nabob Wallajah of an antecedent date have "no bearing on the right of the Cazee to the village." The Board have not before them the papers upon which the Order of 26th September 1854 was passed; but as it appears that the facts of the case were not at the time fully known, it may be thought desirable to modify the decision noted in the extract given above.

14. It will be noticed that in the same Order allusion is made to the original Purwanah of *this* Government as not being forthcoming; but, as has already been shown, it is the original *Nabob's* Purwanah which has been lost, and not the grant of 1779.

15. As pointed out by the Collector, the village is now, under Government Order, 6th August 1862, No. 932, Public Department, in the possession of the present Cazee, Abdul Cawder.

16. The Petitioners assert in the last paragraph of their Petition 3,464 of 1863, that there are separate sources of emolument for the person holding the office of Cazee. The Collector has not noticed this point.

(A true Copy and Extract.)

Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.

Copy to E. G. R. Fane, Esq., Collector of Madras.

Exd. R. H. Lee.

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* Extract from Minutes of Consultation, 26th September 1854, No. 365.

† Note.—The wording of the Sunnud of 1779, as well as of the note appended thereto by the Persian Translator, would seem to show that the Purwanah of $\frac{1175}{1760}$ was not before the writer at the time.

Copy of a Purwanah under the Seal of Unwur-ood-de

(Enclosure to Mr. McDonell's Report, dated 31st M

Be it known to the present and future Aumils, Desmookhees, Disp Mookuddums, and cultivators of the Purganah of Palighaut, in the Tripass [illegible], dependant upon the Carnatic: Below the Ghats, the Soubah of which is Moohummadpoor, commonly called Arcot. That according to the Purwanah, under our Seal, dated the 5th of Rubecoossanee, in the year of the Hijiree 1174, the village of Kuzemundalum, usually named Shumshee, together with the tax or duty from the salt pans, Ildaree,* the Khurmokra,† and Sayer thereof, and the fees of anchorage, &c., attached to the above-mentioned Purganah, the total Revenue from which amounts to Star Pagodas One Thousand six hundred and forty-one (Star Pagodas 1,641) was confirmed no grant to, and enjoyed by the excellent Fukhur-ood-deen Moohummud Uba Bakeer, the Cazee of Madras, &c., on condition of his officiating in that office. The said Cazee has now requested that the above-mentioned village may be granted in perpetuity, and without the provision regarding the holding the Cazeeship, for the subsistence of his son Mood-ood-deen Moohummud Uba Baker, his descendants, relations, and dependants. In compliance therefore with the application to which our signature is affixed, and which is deposited in the Sudder Dufturs, we, considering the sincerity of his wishes for our prosperity, having conferred the village from the beginning of Fasli 1171 as an Inam, upon Moohu-ood-den Moohummud Uba Baker, his descendants, relatives, and dependants from generation to generation, without the condition of holding the office of Cazee. It is required that you deliver over the said village and all that appertains thereto to the charge of Moohu-kood-deen Moohummud Uba Beker, son of the Cazee above described; that appropriating the proceeds to his own support, he may be employed in the worship of the Almighty, and in offering up prayers for the duration of our prosperity.

Regarding this as a peremptory order, be careful to act as directed, and be not requiring new Sunnuds every year.

Written on the 6th day of the month.
Jumadoolenvevul, in the year of the Hijiri 1175 for A. D. 1760.

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* Ildaree, whatever is thrown on the shore by the sea, as pieces of wreck, &c., upon which the landholder takes a certain portion.

† Khurmokra, the fees or duty upon the shells called Concho, or nakoos.

Translation of the Purwanah by the Nabob Wallajah.

Seal.

(Enclosure to Mr. Maclean's letter, dated 9th April 1838.)

Be it known to the present Amildar, or Amildars, who may be appointed for the time, being Desamookeys, Desapendiahs, Canoogoes, Mootsuddies, and Ryots attached to Arcot, or Tarunoor Mahomedpoor Sabah, subject to the Tripassore Sircar, in Pulicat Purganah, in the Payanghaut of the Carnatic; that according to the Purwanah, bearing my own seal, dated the 5th Rabiasani Hijiri 1174, the village of Caremundalum, otherwise called Shemsapully, yielding annually the sum of Star Pagodas 1,341 from salt pans, sea wrecks, chanks, Sayer duties, anchorage, &c., was originally conferred upon and continued to Fakeroodeen Mahomed Aba Baker as remuneration to fill the high office of Cawzee of Madras Patnam, but as he has now requested (his Petition being filed in the records of the Durbar), that the village should be continued for ever in the name of his son Mohadeen Mahomed Aba Baker and his descendants solely for maintenance, instead of as remuneration to the office of Cawzee, and in consequence of his respectability and his fidelity and interest in my welfare, I have accordingly resolved to grant the village as Inam to his son, the said Mohadeen Mahomed Aba Baker, and his heirs in perpetuity. He shall, however, enjoy the title of the Peish Inam or Head Priest from Fasli 1171.

You are therefore authorized to deliver over the village to the possession of Mohadeen Mahomed Aba Baker.

ue the documents [illegible]

he duty of the Inamdar to collect and enjoy the income, praying for my prosure. He shall require no fresh Sunnad from year to year, as this is intended to anent grant.

These instructions should be considered as peremptory and acted upon accordingly.

Dated 6th of Jamadlasany, Hizri 1175.

(True Translation.)

(Signed) A. MACLEAN,
Collector.

Translation of the Purwanah by the British Government.

L.S.

(Enclosure to Mr. Maclean's letter, dated 9th April 1838.)

Be it known to the present Amildar, or Musthazer, or Amildars, or Musthazers, who may be appointed for the time being to Ponnary Purganah, and the villages subject to Pulicat, in the Jaghire of the Honorable Company; that according to a Purwanah of His Highness the Nabob Wallajah the village of Caremundalum, otherwise called Shemspilla, has been continued to Cawzee Moodeen Mahomed [illegible] length of time as maintenance to enable him to perform the services attached to the Cawzee of Madras, and is also included in the Honorable Company's Jaghire. It has now been confirmed by the British Government in perpetuity upon the said Cawzee and such of his direct heirs of suitable qualification and fitness on account of the office which he fills.

This Purwanah confirming to Cazee Mohadeen Mahomed Aba Baker, the possession of the village of Caremundalum, *alias* Shemspilla, near Pulicat within the Company's Jaghire, and which he enjoyed before the Nabob made over the Jaghire to the Company (as appears in a Decree given by the Choultry Court, dated 23rd July 1777) has been wrote in Persian by Order of the Honorable Sir Thomas Rumbold, Bart, President and Governor of Fort Saint George, and his large Persian Seal has been affixed thereto, with his permission, this second day of August 1779 by David Haliburton, Persian Translator.

You are, therefore, hereby empowered to make over the said village to the said Cawzee, and subsequently to his male heirs, and shall on no account defer doing so.

It will be the duty of the Cawzee and his heirs to improve the rice cultivation, as well as the salt through the means of the Ryots and all other sources of income, and to protect the Ryots especially and support himself upon the income which he may derive from the village, continuing to fill the office of Cawzee with due attention.

You are to consider these ~~particular~~ instructions for your guidance, and act as aforesaid.

Dated this 14th day of Rajub Hizery, One thousand one hundred and ninety, corresponding with the 22nd August 1779.

Written on the back:—

This Purwanah was written by Goolam Mahoodeen Moonshee, by order of Robert Haliburton, Esq., Persian Translator to Government.

(True Translation.)

(Signed) A. MACLEAN,
Collector.

Translation. In No. 630 of 1864

The Decree of the Zilliah Court of Chinglepat is as follows -

No 4182

Plaintiff -

Mohiddeen Ahmed Khan Mohamed Ababakir Sahib Cauzee of the Town of Madras & Jaghirdar of Karreemanddalum through the [illegible] Vakeel of the Court -

Versus

Ungamah a Goldsmith, now resident of the said Village -

Whereas a Petition of Complaint had been presented by the Plaintiff on the 3rd May 1810 against the Defendant who came to the aforesaid Village and intended to build a house without obtaining Plaintiff's permission - The Plaintiff having given to understand & [illegible] the Defendant not to build the house without his Knowledge & that if the Defendant do so he should pay one Rupee a Month per [illegible] [illegible] ing that the Def. occupying the Plaintiff's [illegible] a house upon two and three Quarter [illegible] ground on the 1st of the Month of Punguni [illegible] year - At the rate of one Rupee and 12 Annas per Month from the beginning of the said Month up to the end of the Month of Punguni of the year [illegible] being [illegible] Months Rupees 85 Annas 8 [illegible] 24 Pagodas 19 Fanams & 22 Cash which is due by the Defendant to the Plaintiff - Thereupon reply & rejoinder of both the parties, a Purwanah dated 6th Jamadeeyool Avull of the Hijaree year 1175 & an Extract dated 2nd July 1784 also a Letter dated 15th July 1804, which are the documents

Plaintiff together with a list of Witness & Vouchers presented by the Plaintiff have been brought to the perusal of the Court – Whereupon the Court are of opinion that those people who wish to build a house in that Village are to get an order from the Plaintiff the Enamdar of that Village for the erection of the house, this Defendant did not do so, but forcibly built a house therein by order of a stranger who do not belong to the Plaintiff – Consequently the Court do hereby decide that the Defendant should leave off the ground & pay the amount of 24 Pagodas 19 Fanams & 22 Cash of the land rent according to the Plaintiffs claim as well as the Court Cost agreeably to the following Accounts particularized below.

	Pg	Fanams	Cash
Batta to a Peon for serving summons to the Defendant	"	10	4
Fees of government agreeably to the Chapter 2d Section 8, Regulation 7 of 1808 for Prosecution Pg 85 – Fany 8 Cash 34	5	4	35
Agreeably to Chapter 4th Sec. 4 Regtn 5 of the same year for making Copy to the list of the Plaintiff	"	3	17
Do for 3 Documents		9	51
Expenses for 3 Individuals for giving evidence		9	51
Price of the Stamp paper for writing Copies of the decisions for both parties	4		
Price of the Stamp Paper for Petition, Answer, Power of Attorney and Bail Bond Presented by Plaintiff & Defendant	1	9	51
Fees of the Defendants Vakeel Agreeably to Chapter 2d Sec. 6: Regtn 10 of 1802 for the Prosecuting P 85 – 8 – at the rate of 5 Percent per Cent	4	3	17

Given under the signature of George Coleman Judge of the Zillah Court of Chingleput bearing the seal of the Court with its attestation on the 26 June 1810 –

(Signed) George Coleman

[illegible] 4 [illegible]

[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]	[illegible]	[illegible]			[illegible]	[illegible]	[illegible]			[illegible]
22	[illegible]	[illegible]	637	9	4	[illegible]	[illegible]	[illegible]	[illegible]	6	1175	[illegible]	[illegible]	61	2	70	[illegible]

3

Lr. No. 630 of 1864

[illegible]

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உண்மையான நகல்

ஸ்ரீ. சுப்பையர்

[illegible] Raymond
Aug[illegible]
[illegible]
[illegible]

No. 4082 Decision

Cawzee Abbobacker Sahib
vers
Ungaman

Passed 26th June 1810

Delivered to the Plaintiff
20th July 1810

[illegible]
[illegible]

Rev-3281/65
Pres. 1 December/65
No 127-128.

dagane Auly, who resides in Paradise, bearing date the sixth
day

Reo: 3281/65

۲۰۸۲

فیصله نامه محکمه دار العداله ضلع حکومت [illegible]

محی الدین احمد خان محمد ابابکر [illegible] قاضی [illegible] کردار — وانکنا [illegible] مذکور تازه [illegible] مدعی علیه

[illegible] المعروف بکر او وکیل محکمه

چون عرض [illegible] مستغیث بتاریخ سوم ماه [illegible] ۱۸۹ گذرانده مدعی علیه موصوف ظاهر آمده اراده بنای خانه [illegible] بدون حکم انجنیر [illegible] معلوم گشته تاکید کردم [illegible] حکم انجنیر خانه بنا نکنی و اگر بنا نموده باشی [illegible] نوشتم بحسب حکم [illegible] لعدالت کنی با تصفیه [illegible] بعد [illegible] تصفیه [illegible] نوشتم و با وجود [illegible] بتاریخ اول ماه [illegible] دیگر دو بنا خانه بنا کرد [illegible] بحسب حکم [illegible] آن [illegible] چهار صد [illegible] و تجویز [illegible] و [illegible] طرفین و فیصله بتاریخ [illegible] ماه جمادی الاولی [illegible] و [illegible] بتاریخ [illegible] ماه [illegible] ۱۸ [illegible] بتاریخ [illegible] ماه [illegible] ۱۸ [illegible] دستاویزات [illegible] دستاویز گذرانده مدعی [illegible]

از آنکه [illegible] بنا کردن میخواهند حکم این مدعی [illegible] موضع [illegible] یافته [illegible] خانه علاقه میدارند و این مدعی علیه [illegible] حکم دیگر [illegible] مدعی علیه زمین را واگذاشت [illegible]

[illegible] بموجب فیصله ذیل بدهد

	روپیه	قلم	کاس
[illegible] طلب [illegible] مدعی علیه	+	۱۰	۴۰
[illegible] بموجب [illegible] قانون [illegible] ۱۸۰۸	۵	۴	۳۵

جمله روپیه ۶ قلم ۳ کاس [illegible]

[illegible]	[illegible]	۹	۵۱
بموجب فیصله [illegible] قانون [illegible]			
	روپیه	قلم	کاس
	[illegible]	[illegible]	۱۲

۹ [illegible] ۸ [illegible]

موجب [illegible] دل دو [illegible] فاقل [illegible] عععم ۹ ۵۱

[illegible]	+	۳	۱۷
[illegible]	+	۹	۵۱
[illegible]	+	۹	۵۱

قیمت [illegible] برای [illegible] [illegible] ۴ +

قیمت [illegible] عععم ۹ ۵۱

[illegible]	عععم	۶	۳۴
[illegible]	+	۳	۱۷

[illegible] ۳ ۱۷

[illegible]

۸ [illegible]

۲ [illegible]

[illegible] ۳۵ ۱۹۹

مقرره [illegible] و تحفظ و [illegible] کاملی حاکمه دستخط [illegible] محکمه [illegible]

[illegible]

(Signed) Geo. Coleman
Judge

A true Copy
[illegible]

Translation

Begin in the name of God who is the most Benevolent and most Merciful —

I do hereby inform my name and lineage, that is to say, I am Mohamed Ababakar Fukhrood Deen Aly Khan, the Cauzy of the Madras Port and of the Zillah of Chinglepet &c. son of the Shariut Panah of Law Officer Cazy Mohyood Deen Ababakar Sahib deceased. Being in state of personal health, good senses sound understanding, and when I am able to conduct and transact business, I write these few lines by way of declaration and legal acknowledgement to this effect that, I have without being forced by any individual but with the pleasure of my heart and the entire willingness of my mind given up and granted to the worthy son Mohamed Ababakar Zynood Deen Ahmed, the son of Mohamed Salah Sahib, the real brother of my wife called Uffzul oon Nissa Bee Bee, whom I have taken in adoption, and who is in room of my own son, the Inam Village of Carremundalum otherwise called Shumz Pully attached to the Talook of Nair in the Zillah Madras, which together with the three Cawnies of Inam land situated in the village of Cheekur Ota, having devolved to me I am in possession of by inheritance and by means of gift from my father the late Cauzee Mohyood Deen Mohamed Ababakar Sahib, to whom the same is the said Inam village of Carremundalum was, in remuneration of his obedience and faithfulness with the Circar granted by way of Inam Abud Dawam, or gift in perpetuity, to be enjoyed forever by my father, his children, progeny, and dependants, from generation to generation as per the Purwana or Grant of His Highness the Nabob Wala jah Bundagani Auly, who resides in Paradise, bearing date the sixth day of Jamadyool Awul of the holy year of Hegiree 1175 now the whole of the wet, dry, and waste lands, the jungle, the river fees of the said Inam village together with the three Cawnies of the said Inam land situated in the said Checkur Cota, and together with the proceeds revenues and every thing Concerning these two premises and all the [illegible] and Hurdiestany specified in the separate sheet of paper, which I have in my possession as the real owner thereof, I have given up and granted to my said son. This grant is true, Correct and valid and lawful. That in Consequence of the minority of my said son I delivered the whole of the above said premises in charge and trust of my said wife and said [illegible] and gave them in their possession and management. It is required that the said lady and the abovementioned gentleman will effect the management and collection of the proceeds of the said Inam village, and of the said Inam land, and will employ a Tutor and monitor to correct educate bring up and teach the said son in the sciences of religion and law and after my said son shall attain the age of discretion they should deliver up to him the above said property and things in order that my said son, his children, progeny and dependants may enjoy and keep in possession the above said Inams from generations to generations and children to children according to the Purwannah

or

---

or grant above alluded to. In future there shall not remain or exist any kind of demand or claim either for me, for any person, for my successor, or for any of my relatives or heirs respecting the above described property &ca. Wherefore these few words have been written and given by way of Hiba-Nama or deed of gift. Written on the fifth day of the Month of Shaval in the year of Hegiree 1278, which corresponds with the fifth day of the month of April of the year of Christ 1862.

Mohummud Aba Bukr Lutf ood Deen Ally Khan
Cazy of Madras &c.

Witnessed
Mohamed Abdool Barith, may God Pardon him.

witnessed
Abdool Majeed

x Caroomanual Anne, Vaupoo seh I Know
Caroomanual Verasawmy Iyer I Know
Caroomanual C Rain Annasawmy Pilly I Know
Ameenullah I Know

A true translation as near as can be from the Persian Language
G. Dedgere Intr

Recd
Document No. 22
Translation ready 25th } July 1862
No 40 1862

A true translation as near as can be from
the Tamil Language R Parthasarathy Pillay
Q Lib

بسم الله الرحمن الرحيم

محرر باسمه و نسبه محمد ابابکر فخر الدين عليخان قاضي بندر مدراس و ضلع چنگلپيته و غيره ولد شريعت پناه قاضي
محي الدين محمد ابابکر صاحب مرحوم در حالت صحت مزاج و حواس بر جا و اثبات عقل و جواز و نفاذ معامله اينچند
سطور بطريق اقرار صحيح و اعتراف شرعي به تحريري در آرم باين معني که برخوردار محمد ابابکر زين الدين احمد فرزند محمد صالح حسب
برادر حقيقي اهليه ام مسماة افضل النسا بي بي که به تبني گرفته ام و بجاي فرزند من است موضع منعمه کريمنډلم عرف
شمس پلي متعلق بتعلقه [illegible] ضلع مدراس که ارثاً و بيتاً از پدرم قاضي محي الدين محمد ابابکر صاحب مغفور که در جلدوي رسوخ
عقيدت و دولت خواهي سرکار و بموجب پروانه حضرت نواب والاجاه جنت آرامگاه بندگان عالي مرقوم ششم
جمادي الاول سنه [illegible] هجري مقدسه بطور انعام علي الدوام بنام والدم موصوف و اولاد و احفاد و متعلقان ايشان بطناً بعد بطن
مرحمت شده مع [illegible] کاني زمين منعمه واقع موضع چيکر کوته بانجانب رسيده متصرف هستم الکنون تمامي زمين تري و خشکي و اشجار
و جنگل و کهاري و غيره موضع منعمه مذکور مع ۳ کاني زمين منعمه واقع چيکر کوته مزبور بجنگلي و صوابات و محاصل و ما يتعلق بهما
و جملگي کتب عربي و فارسي و هندستاني مفصله فرد جداگانه بنوعيکه بتصرف مالکانه خود ميدارم بلا اکراه احدي بخوشي خاطر
و رضامندي باطن و ظاهر بخشيدم و هبه نمودم هبتاً صحيحاً جايزاً نافذاً شرعياً و نظر بصغر سني فرزندم مذکور جملگي املاک و غيره
مکتوب الفوق تفويض و تحويل اهليه ام موصوفه و صاحب موصوف نمودم و به قبض و تصرف ايشان دادم بايد که بي بي موصوفه و صاحب
موصوف بند و بست محاصل موضع منعمه مذکور و زمين منعمه مزبور بعمل آورده بتقرر معلم و اديب اصلاح و تربيت و تعليم و تدريس
علوم ديني و شرعي فرزندم مذکور پردازد و بعد فوز فرزندم مذکور بسن شعور املاک و اسباب مرقومة الصدر حواله ايشان کنند تا فرزندم
مذکور و اولاد و احفاد و متعلقان ايشان بموجب پروانه مرقوم الصدر بطناً بعد بطن و نسلاً بعد نسل قابض و متصرف العقار مذکوره باشند
ابداً و بهيچگونه وجه من الوجوه منفرد را و ديگري را من اليوم تا مي و من اقربائي و من يوارث مني را از املاک و غيره مذکورة الصدر
دعواي و تقاضائي نيست و نخواهد بود بنابران اينچند کلمه بطريق هبه نامه نوشته داده شد تحريراً في التاريخ [illegible] ماه شوال سنه ۱۲[illegible] هجري مطابق [illegible] ماه اپريل [illegible]

محمد ابابکر فخر الدين عليخان
قاضي مدراس و غيره

گواه شد
محمد عبد الباسط

گواه شد
عبد ال[illegible]

Copy

Will or Deed from
the late Cauzee Mohamed Abab
Fukroodeen Ally Khan
to Mohamed Ababaka
Zynoodeen Ahmed

2
In No 3464 of 1813

Document No 69
Registered on the
24th day of August
1811 at 4 O'Clock P.M.

Oomkatool
Moolk Sirajood
Dowlah Anvaroodin
Khan Bahadoor Shelawer Jung
Sidvee Aulumghere Badsha
Gauzee

Be it Known to the present and future Amaldars Thasemookees Shasepandiyans Canoongoyans, Moottasuddies, and the Cultivators in Pulicat Purganah in the Circar of Thirpasoor in the Soobah of Darunnoor Mohamedpoor commonly called Arcot attached to Payanghaut in the Carnatic, that in persuance with the Purwanah bearing my Seal and dated the 5th of Rubbeeussanee 1174 A.H. a village of Curreemundalum alias Shumsa Pully together with its Salt pan Abdar Shells Sayer, Arkoor duties &ca the proceeds of which amount to 1341 Star Pagodas has been granted to the Venerable Fukroodeen Mohamed Ababakar Cauzee of the Port of Chinapatnam (Black Town) &ca on condition of his performing the duty for the Office of Cauzee. Now the aforesaid Cauzee has applied that the said Village may be granted for the maintenance and support of his son Mohideen Mohamed Ababakar and his (the latters) children descendants, and dependants unconditionally and forever. Therefore as his application has been entered in the record of Sadarat the said village together with the Offices of Peish Emam in consideration of the zeal & fidelity of the aforesaid Mohideen Mohamed

Ababakar towards the Circar has been granted to him as Enam from Fusly 1171, to be enjoyed by him, his children, descendants and dependants from generation to generation without condition of the duty of Cauzee, therefore the whole of the said Village should be delivered into the possession of the said Mohiedden Mohamed Ababakar the son of the said Cauzee that he may enjoy the revenue thereof and spend his days in worshipping God, and praying for the lasting prosperity of our Government. No demand should be made for the renewal of the order every year. This should be considered as a peremtory Takeed (order) and be acted upon accordingly.

Dated the 6th of the month of Jamathi-ool-awul in the Hijree 1175.

Putchee teerlum
Baljee Row

Mattoor
Audi Sashiah

A True Copy
(Signed) [illegible]
Ag Register

True Copy
A. W. Phillips
Civil Judge.

Examined by
Mohamed Ismail

Document No 69.

Registered on the
24th day of August
1811 at 4 o'clock P.M.

STAMP DEPARTMENT
23 MAY
1863
CHINGLEPUT

المہر

عمدة الملک سراج الدولہ انور الدین خان بہادر
دلاور جنگ فدوی شاہ عالم بادشاہ
غازی

عاملان حال و استقبال و دیسمکهان و دیسپاندیان و قانونگویان و متصدیان و مزارعان پرگنہ [illegible] سرکار [illegible] تعلقہ [illegible]

صوبہ دار [illegible] بدانند کہ موضع [illegible] عرف [illegible] الملک والداریا [illegible]

عملہ پرگنہ مذکور حاصلات [illegible] یکہزار و [illegible] صد [illegible] جمع کامل [illegible] بموجب پروانہ [illegible] رقم [illegible] ربیع الثانی ۱۱۷۰

بقضات [illegible] محی الدین محمد ابابکر قاضی [illegible] بشرط قضا مقرر و جاری [illegible]

در وجہ مدد معاش فرزند خود محی الدین محمد ابابکر و اولاد و احفاد و متعلقان شی علی الدوام [illegible]

دستخط [illegible] در دفتر صدارت [illegible] نظر بر [illegible] عقیدت [illegible] سرکار [illegible] بنام محی الدین محمد ابابکر و اولاد و احفاد و متعلقان

بطنا بعد بطن [illegible] بلا شرط قضا از ابتدای ۱۱۷۱ فصلی [illegible] محی الدین محمد ابابکر خلف قاضی

موصوف واگذارند حاصلات آن بصرف معاش خود [illegible] عبادت و دعا دوام دولت ابد مدت [illegible]

ہر سال سند مجدد نطلبند درین باب تاکید اکید دانسته [illegible] التاریخ ششم جمادی الاول ۱۱۷۵ ہجری

[illegible]

[illegible]

A true Copy
Signed/ [illegible]
Ag Register

[illegible]
[illegible]

1272 [illegible]
3370

[illegible]

[illegible]

1863

[illegible]

No. 867

TITLE DEED GRANTED TO Haji Mohammad Abubakar Rahimudin Allikhan Sahib

1. On behalf of the Governor in Council of Madras I acknowledge your Title to a ~~Kairathi~~ Sarvamanyam Inám situated in the village of [illegible], Tálook of [illegible], District of [illegible], claimed to be of acres Two thousand two hundred & twenty four 2224/20 of dry land, and acres Four hundred ninety seven 497 of wet land. [illegible]

2. This Inám is subject to a Jodi or Quit Rent of Rs. 213-11-8 per annum, and is hereditary, but it is not otherwise transferable; and in the event of the failure of lineal heirs it will lapse to the State.

3. On your agreeing to pay an annual Quit Rent of Rs. (332 – –) Three hundred thirty two inclusive of the Jodi already charged on the land as above stated, your Inám tenure will be converted into a permanent freehold; in which case the land will be your own absolute property to hold or dispose of as you think proper, subject only to the payment of the above-mentioned Quit Rent.

4. If you should desire to commute the Quit Rent for the payment of a sum of money, once for all, equal to (20) twenty years' purchase of the Quit Rent, you will be at liberty to do so.

Dated Coimbatore
25th November 1862

G. N. Taylor
Inám Commissioner.

1159 – 4 – 4 1/2

2224-20

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual Quit Rent therein mentioned, viz., Rs. (332 – –) Three hundred & thirty two

Dated Coimbatore
23rd December
1862

Inám Commissioner.

Whereas you have agreed to convert your tenure into an absolute Freehold, on the terms offered you in Clause (4) four of this Deed, and have paid into the Government Treasury of , the sum of Rs. in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

Dated

Inám Commissioner.

4

In No. 34 64 of 1863

Rec. 16 Dec. 2/65 No 127.

of ... ... & Ponneri in the Madras District

13	14	15	16					
Tasha ned Abu Nar zi (3 per ... 224)	Tarapadi of [illegible]	Mohie Alee Bakker Raje in F 122 Sar.	Muttiyalapett Madras. Mahomed Abubakar Sudin Khan Sahib 55 Huzurunnisa Bi 50 Regd. Rs 24-0 There is a Hibba, whereby the Shrotriyam is in the sole enjoyment of the party in order. The Hibba is dated 1st May 1818 and executed by the father of ... in favor of the ... 16/4 A. R. D.C. Areas of irrigation Excavated Springs (26).	Grand son Great grand daughter	Wife 1	The grant was made apparently for the personal benefit of the holder. The ayakat of this Inam village is very extensive, but it consists mostly of sandy tracts & thick jungle. Very little land is available for cultivation, altho' a large figure is shewn under the head of Shaishal in the Tarapadi accts. The principal source of income is the ready money collection. There are neither Tanks nor river channels. Springs are excavated & repaired from time to time. To be confirmed to the parties in possession in one ... 1/8th Quit Rent Rs 118-0-0; Combined Quit Rent Rs 332-0-0, Three Hundred & Thirty two agreed to. The Shrotriemdars are the sole Mirassidars of the village. (Signed) A. Ramachendra rao Deputy Collector 3/4/62	Approved and Confirmed as recommended. (Signed) G. A. Saylor Inam Commr. 12th November 1862 ... 867	

... and the Amount

		Total	
...	Extra	Asst.	...
... 3	91-9-6	368-5-1	
9-5-11	83-14-8	290-4-6	16 Deed 127-125
... 9-10	88-5-0	388-10-5	
...	...	...	
...	64-13-4	372-4-6	
5-3	103-5-2	412-7-5	
15-3	82-9-10	315-4-3	
...	65-5-	245-4-5	
... 9	87-5-2	315-4-3	
...	...	...	
...	[illegible]	[illegible]	
...	30-...	...	
...tion	...	875-4-8	
... 8	1174-4-5	1343-4-11	
...madinal		60-0-0	
...l. Candy		144-0-0	
		184	
...		11-9-4-7	

(True Copy)

A. Sachiah

Spec. Asst. to the

Inam Commissioner

t from 1.

of the

10 | 11

Total Ayan … according to Mr. Barnard's Statement of 1184

1 Personal Dry 1200 ..
wet 400 ..
4600 ..

Deduct Poramboke
Dry 2515 ..
wet .. ..
2515 ..

Remainder
Dry 1685 ..
wet 400 ..

Remainder Inam
Dry …
wet 331-4
2016-4

Particulars

Mughal { Dry 200 ..
{ wet 150 ..
350 ..

Waste Dry 1…
wet 18…
1646

Add … as per … account
wet 28 ..

Rayana… wet 18 ..

46 ..

Dry 1685 ..
wet 377-4
2062-4

For the personal benefit of the holder 213

Hereditary

By Nalish Waluja (as per Register of 1822)

Extent of the … from 1826

Field	Dry Extent	Assmt	
12	25-10-2	133-3-1	65
1	30-13-	14-7	53
2	38-5-4	11	6
3	35-15-6	197-13-10	03
6	20-7-6	232-8-4	49
	38-8-8	257-5-2	63
66	35-12-2	179-5-	46
6	20-5-4	187-6-8	44
48	53-6-2	209-3-6	34
49	25-9-8	180--2	45
	335-15-10	194-11	50

31-6-6 194-7

Add cultivable 20 .. 120 ..

Add ready money

51-6-6 314-7

Deduct

Extract granted to Allen Lanidabalie wife of the party on Apl 16.

Inam Comm.. Office 31st Jan.

3484 of 16

110

His Excellency
The Honorable E. Maltby
&c. &c. &c.
Governor of Madras
Fort St. George

Rev. 3287/65

Rec. 1 Decr. 65 No. 1447

The humble Petition of
Uffzul oon Nissa Beebee,
the widow, and Mohamed
Salah the brother in law of the
late Mohamed Abaubakar
Fukhrooddeen Ally Khan
Sahib Cauzy of Black Town

Respectfully Sheweth

That Your Excellency in Council by an order passed under date the 6th August [illegible] approved of the nomination of one Abdool Cader to be Cauzy of the Town of Madras, and resolved further, that, as holder of that Office he should be also put in possession of the Village of Nurreemundalum (Coramandal) which it was alleged, had been assigned as an endowment for the support of the Cauzyship.

While Petitioners bow with submission to the nomination made by Government of Abdool Cauder to the Cauzyship of Madras, they respectfully beg to submit the following circumstances for which they crave a considerate hearing. In the year 1174 Hijree a Purwanah
was

was granted by Nabob Wallajah to Fukhrooddeen Mohamed Ababakar for and on account of the Cauzyship of Madras, but on the representation of Fukhrooddeen Mohamed Ababakar, His Highness was pleased in a subsequent Purwanah dated 1175 Hijree to grant the lands &ca specified in the first Purwanah for the benefit of the son of Fukhrooddeen Mohamed Ababakar, viz. Mohiddeen Mohamed Ababakar, so that the said lands &ca became the real property of the said Mohiddeen Mohamed Ababakar. This fact is fully established in the second Purwanah of His Highness Nabob Wallajah, a Copy of which is enclosed, and it has also been registered in the Chinglepet Court, as also by the decision of the Enam Commissioner.

The Title Deed and Extract from the Register granted by this Officer are herewith forwarded for the information & satisfaction of Government. It will be observed that the Enam Commissioner fully investigated the title to the Enam, and on being satisfied that the said village was granted for the benefit of the holder, acknowledged on behalf of the Governor in Council of Madras, the title of the late Mohiddeen Mohamed Ababakar to the lands in question, and accordingly granted a Title Deed in the name of the son of Mohiddeen Mohamed Ababakar namely the late Mohamed Ababakar Fukhrooddeen Ally

Ally Khan the husband of Ufzul-oon-Nissa Bebee, one of your ptrs, and fixed an annual Quit Rent of Rupees 332, inclusive of the Jodi of Rupees 213-11-8, to which it was already subject, and thus the Enam tenure was converted into a permanent free hold. The land has thus, by the terms of the Title Deed, become the late Mohamed Ababakar's own absolute property, to be held or disposed of as he might think proper, subject only to the payment of the abovementioned Quit Rent.

3. It may be urged that in the Government Purwanah of AD 1774 the Government confirmed the Purwanah of Wallajah which granted the village of Curreemundalum unto Shareef Punah Cauzy Mohiddeen Mohamed Ababakar, on the Condition that he should perform the duties of Cauzyship in the Town of Madras— but it is submitted that there is no such Purwanah of Wallajah in the name of Cauzy Mohiddeen Mohamed Ababakar. There is however the Purwanah of Wallajah dated 1175 Hijree alluded to in para 2 of this petition, which granted to Mohiddeen Mohamed Ababakar, not as an allowance for the performance of the duties of Cauzy but for his own benefit and advantage the village of Shunnapully or Karreemundalum. The Government Purwanah therefore of 1779 erroneously stated the conditions on which Wallajah's Purwanah was granted,

and consequently your petrs pray that that error will not be permitted to affect injurously the claim now preferred.

4. That by Will or Deed of gift duly executed by the late Mohamed Ababakar Fukroodeen Ally Khan in favor of Mohamed Ababakar Zynoodeen Ahmud, the nephew and son respectively of your petitioners (a Copy of which is enclosed for the information of your Excellency in Council) the Enam village of Harreemundalum and other properties belonging to the said Mohamed Ababakar Fukroodeen Ally Khan have been made over to the charge of your petitioners to be held by them in trust for the benefits of the aforesaid Mohamed Ababakar Zynoodeen Ahmud, who is a Minor, and your petitioners have been appointed and authorized by the said Will to undertake the management and collection of the proceeds of the abovementioned Enam village, as well as the education of the said Mohamed Ababakar Zynoodeen Ahmud, to whom all properties of the deceased are to be delivered upon his attaining his Majority.

5. That your petitioners, as the duly constituted trustees and guardians of the said Mohamed Ababakar Zynoodeen Ahmud, claim to be put in possession of the said village of Harreemundalum which it was decided by the Enam Commissioner (an Officer appointed by the Government for investigation of Enam Titles) was a grant for the benefit of

the

the holder, and not an endowment for the office of Cauzy, and which by the terms of the Title Deed granted by that Officer, is the late Mohamed Ababakar Fukroodeen Ally Khan's own absolute property subject to the payment of the amount of Quit Rent of Rupees 332 fixed by the Enam Commissioner.

6. That as your Petrs have been deprived of possession of the said village of Harreemundalum by an order of Government alluded to above, issued under a misapprehension that it had been assigned as an endowment for the support of the Cauzyship, they venture with all due respect to seek redress at the hands of your Excellency in Council, and they confidently hope that upon a careful consideration of All the circumstances of the case, your Excellency will afford them such redress by ordering your Petrs to be put in possession of the said village.

By complying with the prayer of your Petrs, no loss nor injury will arise to the person whom Government have been pleased to nominate to the Cauzyship of Black Town. There are several sources of revenue from which an income is drawn aggregating on an average Rupees 600 per annum. The principal of these sources are the Cawnies of Enam lands in the Talook of Ponnaree namely, in Vellar, in Attheputt, in Nunthiampaukum, three Cawnies in Jonakarpaullium, Shanier Kurpaullium in Strehurri Cottah, and the whole Grammum named Yarepaukum in the Conjeeveram Talook, the titles to all which have been verified by the Enam Commission, marriage Fees in Black Town – also proportion of the marriage fees drawn by the Naibs of the Cauzy in the Chingleput Talooks – and all these incomes and some others are now in the possession of the present Cauzy – And your Petitioners as in duty bound shall ever pray —

23rd December – 1863 –

محمد

○ علامت دستخط افضل النسا

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650 of 186
53

His Excellency
The Honorable Sir William Denison K.C.B.
Governor of Madras.
&c. &c. &c.

The humble Petition of Uffzul-oon-Nissa Bebee the widow, and Mohamed Salah the brother-in-law of the late Mohamed Ababakur Fukkroodeen Ally Khan Sahib Cauzee of Black Town –

No. 328/65

May it please Your Excellency.

That in continuation of their petition of the 23rd Decr 1863, Your Petitioners humbly submit for the inspection of your Excellency in Council two Documents – one being an Extract from the Minutes of the Jagheer Committee dated 2nd July 1784, & the other a true Copy of a decision passed by the Judge of the Chingleput Court under date the 26th June 1810 in a suit brought by the Cauzee Mohieddeen Mohamed Ababakar Sahib against one Ungamum – These Documents were found among the papers left by the late Cauzee of Black Town, and they establish the fact of the existance of the Purwanah and of its having been granted by His Highness the Nabob Wallajah to Mohieddeen Mohamed Ababakar for his own use & maintenance and your petitioners further humbly venture to trust that these documents fully establish the claim preferred in their petn dated 23rd Decr 1863 for the restoration to them of the Enam Village of Karroonundalum as bein being a personal grant to the deceased Cauzy-

And your petitioners as in duty bound shall Ever Pray-

Madras
1st March
1864

٥ علامت دستخط افضل النساء بیبی

محمد علی

No 3464 of 1863.

Forwarded to the Board of Revenue for report with reference to Para. 8 of the order of Government in the Public Department dated 6th August 1862.

It is observed that the village of Kareimandalam, said in this Petition to be identical with that named in the Inam Commissioners Certificate Karaimanal, has frequently been referred to, in the Proceedings of Government in connection with the Cauzeeship and Mosque of Madras and in the Proceedings 141 21st Septr 1854, replied to by the Board on the 22d March 1855, was distinctly said to be a service Inam, granted for the support of the person holding the office of Canzee of Madras.—

Fort St. George
11th February 1864

By Order

W. A. Kerr
Dy. Secy. to Govt.

No. 630 of 1864.

Forwarded to the Board of Revenue with reference to the Endorsement dated 11th Feby 1864 on Government Petition 3464 of 1863.

Fort St. George
21st March 1864

By Order

W. A. Kerr
Dy. Secy. to Govt.

B. R. 12th Apl. 64

Coll^{ro} № 33 of Pr.
Pro: 14 Decr 65 № 127
No. 630 of 1864
Rev: 3281/65

From Uffzah[illegible] Bee Bee, the widow of Mohummud Saib, the brother in law of the late Mohummud Abubuker Sahib Deen Sheikh, Cazee of Black Town, Madras
25th March 1864 – With 3 Enclosures

D No. 139 64

In continuation of their former petition of 23rd Dec 63 submits certain vouchers to establish the claim therein alluded to.

Pray for restoration of the Enaum village of [illegible] on the ground that it was granted by Nabob Walajah to Mohe

---

[illegible] only for his own use & maintenance, & that it was a personal grant of the deceased Cazee.

Forwarded to the Collector with reference to the Board's Endorsement on Petition Board No. 511 of 1863.

By order
W. Mulgill [illegible]
Sub Secretary

S. S. [illegible]
[illegible]
April 30.

Board Office
Chepauk
18th April 1864

Ed R. 20 April 64

Forwarded to the Collector for report with reference to the order of Government dated 11th February 1864.

By Order,
W Mulgill

Board [illegible]
Chepauk
23rd March 64

---

that as though she is deprived of the said villages by the said order erroneously passed, the above circumstances may be taken into consideration & the villages be restored to her.

Ed R. 13th Apl 64

Collr. No. 27 of 64

No. 3466 of 1863

From Uffzuloonnissa Bee Bee, the widow, and Mohummud Saffi the brother in law of the late Mohummed Ababekker Fukroodeen ali Khan Saheb, Cawzy of Black Town.

Dated } 23 Decr.
Recd } 1863

With 4 Enclosures

Referring to the order of Government dated 6 August 1862 approving of the nomination of one Abdul Khader to be the Cawzy of the

Rev. 3281/65

Town of Madras stating

Coll 15 Decr/63 No 127

that the village of Karramundalum made over to the said cawzy as an endowment of his office, is the real property of one Fakruddeen Mahomed Ababakar as will be seen from the copy of the Purwana granted by Wallajah & the Patta granted by the Inam Commissioner after assessing it with Quit Rent.

Submitting herewith the said documents for

C No. 3281/65

Mem.

Board Pro. 13th Nov 1865 No 7260.

These proceedings relate to the village of Karaimundalum which Govt. have decided to be a service grant attached to the office of Madras Cazi.

E. Mun. Cons. 26th Sep 1854, 3654 & G. O. 6th Aug 1862 No 932

The Inam commissioner has decided that it is a personal grant, & it is claimed on behalf of the heir of the late Cazi, in opposition to the order of Govt. giving it to the present Cazi.

Date of approval 12th Novr. 1862 (enclosure in petition)

The case seems to me to be

simple & the facts plain. The various sunnuds or copies of sunnuds alluded to in the case have been questioned at various times but they have all been admitted so frequently of late that it is useless to refer to doubts which once existed

In Novr 1760 Wallajah gave the then Cazi the village of Karamundalum as a service inam attached to his office.

Alluded to in the 2nd sunnud Wh is acknowledged by every body

In Decr 1761 he issued a second sunnud granting Karamundalum to the

Vide Board Pro para 3

of 1760

Cazi as a personal inam free from all conditions of service.

In 1763 he granted the jaghire, which included Karamundalum, to the English.

In 1779 the English Govt issued a purwannah, referring to the first sunnud granted by Wallajah, & securing Karamundalum to the Cazi as a service grant, attached to his office, which was made hereditary (& his heirs)

The question is whether

In issuing this purwannah Govt. forgot the sunnud of 1768, & so made the Inam "service" unintentionally, or whether they really intended to change & restore ~~the~~ original the character of the grant.

In 1854 the question came up & Govt. decided ~~to stand~~ that the Inams claims rested entirely on ~~to the terms of the sunnud of~~ ~~68~~ & the purwannah of 1779 & totally defined by it.

Min Cons 20th Sep 1834

The Inam Commissioner however appears to have based ~~the~~ a contrary ruling on the sunnud of 1768.

The first thing to be done is to find out what evidence was before him when he did so.

J.G.

5-12

No. 3044

The Offg. Inam Commissioner will be directed to furnish Government with all the information to be found in his records as to the grounds on which the Commissioner decided on the 12th Novr. 1862 that the Karai mundalum Inam was a personal Inam & not a service grant, in opposition to Ex. Min. Cons 26th Septr. 1854 para 4, & No. 365 Political Dept. G. O. 6th Aug. 1862 No. 932 para 8.

J.G.

5-12

Rev: 1865. Department.

Pro. of Govt For Dec.

No. 3281.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 13th November 1865.

G.O. 16 Dec.

Recd 17th

C.A. [illegible]

10

No. 7,260.

Submitting with remarks, letter from the Collector of Madras reporting on Government Petitions Nos. 8464 of 1863 and 630 of 1864, from the widow of the late Cazee of Madras, praying that the village of Carimanal, wrongly made over to the present Cazee, may be restored to the [illegible] the deceased.

[illegible] 16 Dec.

Order

F-10-08.

Revenue 1865 Departt
Pro: of Govt for December

No 3041

Pro: of the Madras Govt
2/16th December 1865

No 127 & 128