

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	2130	Press
		~~Mis.~~
466. 467		
Dated	18 - 8 -	1866

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
18th August 1866.*

No. 466. Read the following Proceedings of the Board of Revenue, dated 14th June 1866, No. 4,080.

Read the following letter from the Collector of Madras, to the Secretary to the Board of Revenue, dated Sydapett, 18th May 1866, No. 141 :—

1. With reference to the Board's Proceedings, No. —, of the 23rd ultimo, I have the honor to state that the amount

Fusly 1270...	...	Rupees 5,156	8	9	of ground-rent yearly realized from the
" 1271...	...	" 5,041	0	0	Evening Bazaar, and other vacant spots
" 1272...	...	" 8,050	15	4	of Government land in the Town of
" 1273...	...	" 6,826	14	9	Madras, is given in the margin for the
" 1274...	...	" 6,311	2	9	last five Fuslies.

2. The Municipal Commissioners claim the rents realized from the lands at the Evening Bazaar from 3rd February 1864, on which date the Esplanades were transferred to them, on the ground that they form part of the Esplanades, and not from November last, as was by an oversight reported by me. The other open spots of ground and their rents they claim from 1st November 1865, the date when the Municipal Act came into force.

3. The Deputy Collector of Madras has not as yet handed over these ground-rents to the Municipal Commissioners, as he states that they are a portion of the land revenue of the Town of Madras, and consequently ought not to be made over to the Commissioners.

4. The correspondence which passed between the Collector of Madras and the Board in 1825, shews that the land which now forms the Evening Bazaar was purchased by Government at a large outlay, and as it was not required then for the Esplanade, the Collector of Madras was authorized to allow bazaars to be built upon it, and the rent levied. The Municipal Commissioners, therefore, would appear not entitled to it as part of the Esplanades, more especially as it appears the Esplanades were made over to them simply for conservancy purposes.

5. The other vacant spots of Government land referred to above, the Municipal Commissioners claim under Section 78 of Act IX. of 1865. As this Section contains a provision for the Government retaining under their control lands which are already so, it appears the Government are not called upon to comply with the request of the Commissioners. Moreover, by Section 16 of Act XII. of 1851, the ground-rent collected at Madras is pronounced to be a part of the land revenue, and as such also cannot be claimed by the Municipal Commissioners.

1. Submitted to Government, with reference to their Order, dated 17th April 1866, No. 878.

2. The Board concur with Mr. Fane in considering that the rents referred to, are not claimable by the Municipal Commissioners.

No. 467. ORDER THEREON, 18th August 1866, No. 2,130.

The Government concur with the Board of Revenue.

Land Revenue.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

.. the Municipal Commissioners.

.. the Accountant General.

Exd. T. O'Connor.

87-2130. 1/6

The pt. can cur
with the Wd. of Res
JMS

10/10/05
Municipal Commissioner
South Gloucester

Sect 78 of the Act of 1881
10/10/05 Madras clearly pres
the Com no such title
as they claim - Unless
therefore pt are disputed
The liberal, the Wd's view
is correct -

Let not
the drop - the
Commissioner has a
very good case if they
are not satisfied
with the result
JMS

20/11/11
1028/10/11/11

M.R.O. 14-12,000-27-8-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2131	Press
468 270	<u>Mis.</u>
Dated 18-8-	1866

Not to be folded or roughly handled

Read again the Proceedings of the Board of Revenue, dated 21st June 1866, No. 4,259, recorded in G. O. 9th July 1866, No. 1,702.

Read also the following letters:—

No. 468. From the Collector of the Godavery District, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated Cocanada, 30th July 1866, No. 18.

1. In reply to the Proceedings of Government, dated 9th instant, No. 1,702, Revenue Department, I have the honor to inform you that the widow of the Zemindar of Vegayammappetta has declined to have a personal interview with me.

2. As she is young, only nineteen, and has never had anything to do with the management of the estate, or other business, I considered her as, of necessity, inexperienced. The person who managed the estate after the late Zemindar's death up to the date of attachment, is a creditor of his to the amount of 3,000 or 4,000 Rupees, and no connexion whatever either of the deceased or widow. I was also informed that the money in hand at the time of the Zemindar's death, and collected after it up to the time of attachment, had been wastefully spent. There is still a balance of Rupees 2,462 due to Government on account of Pesheush. The widow's husband's maternal uncle is alive, and living with her; but he is a spendthrift, and not considered a respectable or trustworthy character. Keeping in view the opinion of the Board and Government, as expressed in their Proceedings, dated 9th January 1865, and Government Order of 1st July 1865, Nos. 86 and 1,500, respectively, regarding the widows of the Zemindar of Nidadavole and Bahurzalli estates; and also considering that the widow of the Zemindar of Vegayammappetta is not only incompetent from youth and inexperience, but also that she has no trustworthy or competent blood relations to manage her estate, I have suggested the advisability of its being brought under the management of the Court of Wards.

3. In regard to the delay in submitting the report, I beg to state, that when the Zemindar died, his wife being pregnant and very near her confinement, I waited to see whether she would bear a son or daughter. She was delivered of a daughter on the 28th December 1865, and this was reported to me on 10th January 1866. Learning that she was young and inexperienced, and that the estate was left under the management of strangers, who had no interest in her welfare, I directed the Tahsildar of the Ramachendrapur Talook, on the 31st January 1866, to furnish me with a list of the property of the Zemindar, and particulars of the estate. His report, accompanied by a list of the property, which he received from the widow of the Zemindar, reached me on the 4th April only, after two months' delay. In this list a few articles only worth about Rupees 1,000 having been mentioned, I suspected that many valuable jewels and utensils were not included in it, under the advice or instigation of certain persons unconnected with her. I therefore again ordered the Tahsildar on the 11th April to prepare, himself, a list of property, and to send it to me. Correct lists of the property, worth about Rupees 4,547, and the particulars of the estate and debts, were received from the Tahsildar on the 23rd April 1866. These lists, &c., were translated and submitted to the Board with my report on the 30th May.

4. I ordered the Tahsildar on the 11th April 1866 to take charge of the estate, which he did on the 12th idem.

*Proceedings of the Madras Government, Revenue Department,
18th August 1866.*

No. 469. From the Collector of the Godavery District, to the Secretary to Government, Revenue Department, Fort Saint George, dated Cocanada, 2nd August 1866, No. 19.

1. In continuation of my letter, No. 18 of the 30th ultimo, I have the honor to state that the widow of the late Vegayammappa Zemindar has thought better of her refusal to give me a personal interview. I saw her this morning.

2. She seems an intelligent woman, and can read and write. She states her age to be twenty, which her appearance bears out. But she is evidently quite inexperienced in the management of her estate, never having had anything to do with it yet. I believe that with a careful and conscientious Manager under her, to superintend and readily do the work, she in a short time would acquire sufficient experience to manage her estate tolerably well; but she has not got such a person under her now, nor do I see much likelihood of her getting one.

No. 470. ORDER THEREON, 18th August 1866, No. 2,131.

Land Revenue

1. The Governor in Council concurs with the Board of Revenue that sufficient grounds have not been adduced for their assuming charge of the estate, in their capacity of Court of Wards under Regulation V. of 1804. The widow is nineteen or twenty years of age, and the Collector, who has had an interview with her, reports that "she seems an intelligent woman, and can read and write." She is, as might be expected, "inexperienced in the management of her estate," but Mr. Fraser believes that "with a careful and conscientious Manager under her to superintend and really do the work, she in a short time would acquire sufficient experience to manage her estate tolerably well."

2. The estate will at once be made over to the widow, and the Collector will give her the benefit of his advice and assistance in selecting a proper Manager. He will report to Government, if there should hereafter be any mis-management and dilapidation of the property calling for the intervention of the Court of Wards.

3. The Government consider Mr. Fraser's explanation of his proceedings in this case to be very unsatisfactory. The Zemindar died on the 18th December last, and the birth of his daughter on the 28th idem was notified to Mr. Fraser on the 10th January. It was not till the 31st January that Mr. Fraser called on the Tahsildar for a list of the property of the deceased, and this requisition was allowed to remain unattended to till the 4th April. On the 11th April Mr. Fraser called for a revised list, and at the same time ordered the Tahsildar to assume charge of the property, which important measure, however, he did not report to the Board till the 30th May. The Board will inform Mr. Fraser that Government consider his conduct very reprehensible.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.

Exd. S. T. Augustin.

For Order

The Colr. has desired to have
this a personal interview with
the widow and judge for him-
self of her competence to manage
the Estate. He reports that she
declines the interview!

By 1804. As the law stands, the decision
of the question whether the Court
of Wards shall assume charge
of this Estate - turns entirely on
whether the widow possesses "the
means, ability & discretion" to regulate
her own affairs.

There is of course much that
is unpleasant to a proprietor in
having her estate made over to a
manager & her self to a guardian
but on the other hand there is

This solid advantage that the
Estate cannot be sold for arrears
while under management.

As a general rule, in this country
females - and especially young
females - this one is 19 - are not
well up to business - and as
the feminine does seem to have left
no authentic will or instruction
I would be kind that the safest
course at present would be to
assume charge of the property -
and after providing for the dis-
charge of the debts and for the
gradual accumulation of a
~~small~~ moderate reserve to provide

to provide the remainder for
in non use -

The Cowy's explanation of the
delay seems a very lame one -

J. D. S.

Wm. D. S. and Co. London
19 Oct 1888

1873. Jany/65-21-22
1 July - 3-11-
9-5-66-192-193.

Rev. J. B. G. G. G.
1873. Jany/65-21-22
1 July - 3-11-
9-5-66-192-193.

The Secretary to the
Revenue Dept.
Tututunga

Dated 30 July 1866
Recd. 4th. Aug.
No 18

Encls. none
No.
Sect 192131. 1866
stating that the widow
of the Zemindar of Paganar
-mapatta has declined
to have a personal
interview with the Col.
and offering explanation
in regard to the delay in
submitting the Report.

For Orders.

No 468

1866

Note.

The papers connected
with this case are in
circulation. Mr. Frazer's
information certainly
alters the case materially.
The widow though young & un-
-experienced in business is
intelligent and has had
more education than most
females in India possess.
But there is no alternative
between taking charge of
the Estate under Reg. V of 1854
and leaving the widow wholly
free - hoping that she will take

advantage of the Clergy
friendly assistance & advice.
But can't enter to themselves
under the law with merely
nominating a manager as
Mr. Fraser seems to contemplate,
and half-measures rarely
prove satisfactory. There
is clearly much less of
risk in trusting the widow
than Mr. Fraser first to the
Stated.

I & L

If Mr. Fraser will only act as he should
act, that is, take a little personal

trouble in the matter,
in consultation, and let
the widow see that he
desires only her interest,
I feel sure she would
accept advice and help
as efficient manager of
her own.

There has been a good
deal too much dropping
in our Zealander near
later, I think, & nothing
pleases the native feeling
people so much as a
word of the Māori.

As regards the papers
in circulation, I would
let the widow have the
right to operate under
the Act. only when it is
obvious beyond all doubt
that she is seriously dan-
gering herself or the estate
by incapacity. W.D.

I would give the Zealander a trial - let the
Colonial agent and agent - be as far as he
can and take a personal satisfaction in
our the property - especially if he
should prove to be any more successful
and distribution of the property - calling
for the intervention of the Court of
Wards. W.D.

Reporting on the
state of the business of
the late Remondur of
Vapayannur & the
having presented her
this morning -

Cl: I Section III
Regⁿ 8 of 1804.

So far, we know that she does not approve what has been done by Mr. Fraser.

The point we have to determine is whether Mr. Fraser's report, whether "founded on personal testimony or on the testimony of credible persons," shows such incapacity on the part of the widows as will justify the course taken by Mr. Fraser. I do not think it does & I find no authority of the same of import on Dr. Mr. F. writes.

Zimundar died 18 Decr 1885
 wife (Rel.) was decess'd on 28 Decr. follow-
 ing birth of daughter reported to Mr F 10 Jan'y 86.
 Mr. Fraser's first order to the Thaslon
 to send up a list of deced's property
 was issued on 31 Jan'y.
 reply thereto is dated 4 April 1886
 Mr. Fraser's next order to the Thas-
 lon was on the 11 April. It was to the
 effect that the Thaslon should himself
 prepare a list of the late Zimundar's
 property - because Mr. F suspected
 that in this last first sent. to him,
 some articles had been left out.

It was on this same date however -
Nov 11 April - that Mr F visited
me that was a personal change of the

Is late. though he was so strongly
unimpaired as not to report what he
had taken in himself to do, until
the 30 day following.

In this acting, he has set at
naught the arguments of the
last part of Ch: 1. Letter 3 of
the Reg's paper posted. It shows
that the order of the Wt & Co.
should have been taken before
he proceeded to take action
a step.

The areas of residence now re-
ported to be outstanding appt.
the 2 primary area of course he
treated in the mode pointed
of law, but there does not appear
to me to have been any injury
enough to put the joint in
jointly, what he has done, &
after doing, kept quiet for
some 49 days.

The whole thing seems to me
to have arisen out of some
mistake in the joint
has not been through, & more
than very unlikely that the 31
order of the 31 day would have
been kept without a copy from
the Registrar up to the 4 April.

If the fact be otherwise, Mr F
was in the dilemma of possibly re-
specting the superintendence of
his correspondence & permitting
a simple order to hang over
for a week. Involving him with
getting an answer to it.
Furthermore, should he send to
induce Mr F to be clear in his
course to the Wt & Co, & more
expedient & systematic in the
discharge of his duties as far as

I can assure of opinion that
the widow's superintendence of her
own estate should not be interfered
with.

I will also censure Mr Francis
for neglecting to report his act of
her report until the following
30 day.

W.D.

18th Aug

N^o 2131.

The final account
with the 18th of Rail.
that the Wi cian & Prouk
have not been addressed
for their accounting
charge of the Estate,
in their capacity of
Bench of Ward under
Reg V of 1804. The widow
is ^{or 20} 19 years of age and
the Clerk who has had
an interview with her
reports that "she seems
an intelligent woman
& can read & write"
She is, ~~as~~ as might
be expected, "well ex-
perienced in the manage-
ment of her Estate"
to Mr. Foster & Co.

Wm
J. P.

that "with a careful
and conscientious
manager under her
superintend & re-
ally do the work, she
in a short time would
acquire sufficient
experience to manage
her Estate (literally
well."

The Estate will
at once be made
over to the widow,
as ~~she is the widow~~
and the Clerk will pre-
sent the receipt of her
advice and assen-
sance in selecting
a proper manager -
and she will report
to the Court if there should
be any matter for any more

dilatation of the
property calling for
the intervention of
the Court of Wards -

The prob. can hide
Mr. Travers explanation
of his proceedings
in this case. The story
is satisfactory -
The funeral held
on the 18 Dec. last,
and the R. of his
dearly loved wife
read to Mr. Travers on
the 10 Jan. It was
not till the 31 Jan.
that Mr. Travers called
on the Registrar
for a list of the
persons of the de-
ceased - and this
requisition was al-
lowed to remain
unattended to till
the 4 April - On
the 11 April Mr.

on the 28th Dec

Fraser called for a
record list and
at the same time
ordered the Feb bills
to assume charge
of the project - which
was put into measure
however he did not
expect the Feb bills
the 30th May. The
Feb bills ^{in fact} saying
to Mr. Fraser that
the committee has
been elected and
the bills to the

J. D. B.

14 April 1872

