

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2145

Press

~~Misc~~

497.499

Dated

20 - 8 - 1866.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
20th August 1866.*

Read the following papers:—

No. 497. From the Acting Government Solicitor, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 9th August 1866, No. 465.

1. I have the honor to acknowledge the Proceedings of Government noted in the margin, (with enclosures), requesting the Advocate General's opinion as to the validity or otherwise of the adoption of Kolundaswamy Vanavaraya Gounden by Subbaraya Vanavaraya Kounder deceased, late Poligar of Samatoor and Kotamputty.

2. I submitted the papers for the consideration of the Acting Advocate General, and

3. I now forward a copy of his opinion, and also return all the original papers which accompanied the Proceedings above noted.

COPY—OPINION.

I am of opinion, upon the facts stated, that this adoption is valid. Had both parents been dead, the objection would have been fatal, as there would then have been no one to give the boy away—(2, H. C., 129). But the widow is competent, and consented—(1, Stra. H. L., 82, 1 Sel., Dec., 154). As to the child being an only son, the High Court has, after several conflicting decisions of the late Sudder Court, ruled that this circumstance does not invalidate the adoption—(1, H. C., 54).

(Signed) J. D. MAYNE,
Acting Advocate General.

(True Copy.)

(Signed) H. J. BROCKMAN,
Acting Government Solicitor.

No. 498. From NUNJAPPA VANAVARAYA GOUNDEN, son of PERAMIA VANAVARAYA GOUNDEN, original grantee of the Samatoor and Kotamputty Polliems.

Enclosing a petition containing a full and detailed statement of his case with reference to his claim to succeed to the Samatoor and Kotamputty Polliems, and requesting that justice may be done to him. (Here enter 7th August 1866.)

No. 499. ORDER THEREON, 20th August 1866, No. 2,145.

Land Revenue.

1. The estate of Samatoor and Kotamputty being "unsettled" Polliems, the succession to them depends entirely and solely on the will of Government.

2. The Governor in Council resolves, in the exercise of this prerogative, to declare Kolundaswamy Vanavaraya Kounder (the adopted son of the late Poligar) to be Poligar of Samatoor and Kotamputty, in the Polachy Talook of the Coimbatore District.

Proceedings of the Madras Government. Revenue Department,
20th August 1866.

3. The Court of Wards will adopt the necessary measures for assuming charge of the estate under Regulation V. of 1804, and for ensuring the proper education of the Minor Poligar and his sister.

4. The Collector will report whether, in accordance with paragraph 8 of G. O., 10th November 1865, No. 2,730, an offer of a Permanent Sannud was made to the late Poligar, and, if so, with what result.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin.

To

The Right Honorable
Lord Francis Napier Baron Napier K. J.
Governor in Council
Fort St. George.

The humble Memorial of
Kanjiah Vamaraya Gounden
of the Sannathoor (otampudi)
Geminidary in the Taluk of
Palaachi, in the District
of Coimbatore.

Sheweth,

1. That Perumaya Vamaraya
Gounden was the Father of your Memorialist.

2. That the said P. Vamaraya Gounden
had two sons by his first wife, namely,
Ramasami Vamaraya Gounden, who had a
son named Subbaraya Vamaraya Gounden,
the late Geminidar of Sannathoor (otampudi).

And your Petitioner, who was
inherited from his brother Ramasami
Vamaraya Gounden, and his nephew,
the late Geminidar.

3. That on the death of P. Vamaraya
Gounden, his eldest son, Ramasami Va-
maraya Gounden, according to the Custom
of the family, succeeded to the Geminidary

and lived in association agreeably to Hindoo Law with your Memorialist.

11. On the death of Renuasami Danaraja Gowda, his son, the late Zemindar, succeeded and continued to live in association and to Hindoo Law with his uncle, your Memorialist.

5. That Subbaraya Danaraja Gowda, the late Zemindar, died without male issue on the 25th April 1866, at which date your Memorialist was absent at Combarom, having proceeded thither on a pilgrimage.

6. That on his return, your Memorialist was opposed in his claims to take possession of the Zemindari by the claim of one Goluma Swami, who was alleged to have been adopted by the late Zemindar.

7. That the alleged adoption is false, and your Memorialist has every reason to believe that it is false from the following circumstances.

1st— Because the late Zemindar never reported his intention to adopt to the Revenue Authorities.

2^d— Because he was not more than 30 years of age, and was a strong vigorous man, who had no reason to despair of male issue.

3^d— Because the matter is substantial.

to the Manager and principal inhabitants of the late Zemindar's resident village. 4th— Because, after the alleged adoption is stated to have been made, the fact was not reported to the Collector or any other Revenue Authority.

5th— Because every precaution necessary to ensure publicity appears to have been omitted.

8. As undivided uncle, your Memorialist is entitled to succeed according to Hindoo Law and the custom of the family, he is therefore undoubted heir, and his claim cannot be set aside by the alleged adoption, until the same be fully proved before a Court.

9. Your Memorialist has been given and understood that a Will is also alleged to have been executed in favor of this alleged adopted son, and for the reasons which cast suspicion on the adoption, your Memorialist likewise disputes the genuineness of the Will.

10. The prima facie heir at law is your Memorialist, & in any case, he is a sharer, and cannot be divested of his share without his consent, which has

has been found. Under these circumstances,
your Memorialist is entitled to pre-
sume that the claimant who seeks to
disinherit him of all or part, established
his claim.

The estate has been placed by the
Collector in the hands of the Hindu
Court and not in the hands of a family,
and it is not, therefore, his right under Hindu
Law to go in as Memorialist and
ask that the Board of
Revenue has recommended to your
Lordship that the alleged adopted
son should be recognised as heir.

Your Memorialist submits
that, in the absence of due investigation
into the alleged adoption, this
measure is not justifiable.

1st Because the claim of the alleged
adopted son is disputed by a person
who has a right to compel him
to prove his claim.

2nd Because, as a *Prima facie*
heir and surviving eldest head
of the family, your Memorialist
has a right to succeed.

3rd Because the custom of the
family

family of your Memorialist recognises
no other than the eldest surviving mem-
ber as entitled to succeed, and your
Memorialist, as the eldest sur-
viving descendant of the first wife of
his father, the aforesaid Perumaya
Vamasaya Gowda, is clearly the
Successor.

13. Under these circumstances,
your Memorialist entreats that
your Lordship will be pleased to order,
either to

1st That your Memorialist shall be
placed in possession as *Prima facie*
the individual best entitled to succeed,
leaving the alleged adopted son to his
remedy at Law, or

2nd That the estate be placed under
the management of the Collector, pending
the decision of the Courts on any suit
which either claimant may institute
within a certain time.

For which, as in duty bound, your
Memorialist shall ever pray.

Madras, (Signed) B. S. Srinivasan
10th July 1863 (True Copy)

Imple.
Under Secy to Govt.

1863

To,

The Right Honorable the Governor
in Council

Fort Saint George

The humble Petition of Vengaya
Vannavaraya Gounder, son of the
Original Grantee Paramiah
Vannavaraya Gounder, late Polig
of Samatoor and Motampatty
in the Polashy Taluk District
of Carnabalore.

Sheweth,

That on the cession of the Country
by the British Government, the Pollion of
Samatoor and Motampatty was confirmed to
Petitioner's father Paramiah Gounder, it being an
unsettled one.

That Petitioner's father had two wives, by the
first of whom he had two sons, viz: Vannaswamy
Vannavaraya Gounder, my elder brother, and
myself. By his second wife he had two other
sons

On the decease of Petitioner's father, his
elder brother succeeded to the Estate and after his
decease, his only son Subbaraya Vannavaraya
Gounder succeeded him in the Estate.

At the time of this latter party's decease,
Petitioner was absent from the Pollion, in
consequence of which advantage was taken
of to dispossess Petitioner of his hereditary
rights.

The

Resolves 1866 & 1867

1872.

Thomson's Vannavaraya
Gounder - of the Vannar
class - of the Vannar
class in the District of
Carnabalore.

Dec. 25/72/68.

The Right Honorable
the Governor in
Council.

Dec. 10 - 1872/68.
Dec. 13/72.

Enclosed.

Referring to the
Petitioner's claim
and his father's
title of the late Vannar
Gounder, as well as the
cession of the Vannar
Gounder.

The Collector without fully understanding the merits of the case, mistakenly reported that the Pollion should be entered in the name of the alleged adopted son and that the deceased Soobooroya Vannavaroya Gounder had left a will, but with reference thereto Petitioners would beg to submit:

- I That the Pollion is an unsettled one.
- II That the Pollion is an indivisible one.
- III That the family is an undivided one.
- IV That on the death of Soobooroya Vannavaroya Gounder, Petitioners was the heir - male Principal, chief heir - to the Estate.
- V That in consequence of his absence at the time of his nephew's demise, certain of his wife's relations took advantage thereof and caused it to be stated that the deceased Soobooroya had adopted a son and executed a will. Nothing could be further from the fact. The will is clearly a fabricated one. That it is a downright forgery, can be distinctly ascertained by an impartial enquiry being instituted into the matter. And again, if said Soobooroya Vannavaroya Gounder had any intention of making an adoption, he would have made known his wishes to the authorities

For

VI For an adoption to be legal, two things are particularly requisite; one is the consent of the natural father, and the other that of the alleged adoptive father. Both, on enquiry, will be found absolutely wanting. Since the father of the alleged adopted son died 27 days after the nuptial marriage, and the adopted son was born 10 months subsequently. This proves that the natural father did not and could not have given his consent to the adoption as the boy was not in existence at the time of his demise.

VII Again, agreeably to established Law, the only son cannot be adopted. Thus, in a Maxwell's Analytical Digest section 52 at page 18, it is stated "A boy cannot be adopted, altho' his natural father should have consented to the adoption, if the latter should not have lived to make the gift of his son." Again in section 66 at page 19, it is stated "A Hindu widow is incompetent to give her only son in adoption as a - Dnyamushyayana - without authority previously given by her deceased husband."

VIII Still further, it is more distinctly declared in "Stranger's Manual" of Hindu Law section 98 that "the adoption of an eldest or only son is prohibited."

IX But whether the adoption was made or not, whether

whether legal or illegal, the truth is that the Pollum
should descend to Petitioner himself. The Pollum
is an unsettled one and an indivisible one.
Petitioner is the head, chief male representative
of the family and the original grantee's son,
and it is in the option of Government to bestow
the Pollum on the nearest heir, conferring on him
the vested rights which would revert to Government
in the event of there being no heir.

It is not the practice of the family to
make an adoption, nor has Government ever recog-
nized, with the exceptions of Inams, Shastriams &c,
such an adoption; and under such circumstances
he therefore most humbly solicits your Lordship
in Council to be graciously pleased to register
the Pollum in his name.

And Petitioner as in duty bound

Will Ever Pray

19th July 1866.

~~As per order of the Board~~

To,

W. Muddleston Esq.

Secretary to Government

Respected Sir,

With reference to the enclosed Petition in which
I have fully detailed the grounds on which I base
my claims to the succession of the Simatoo and
Kotampatty Pollums, I humbly beg to call your honor's
special attention to the following points:

- I. The Pollum is an unsettled one and it is at the
option of Government alone that the succession should
be declared.
- II. It is indivisible.
- III. That no adoption has been ever made in the family
and that it was never recognized by Government.
- IV. That whilst there was a chief male heir, that is
Petitioner himself, the original grantee's son, there was
absolutely no necessity for an adoption to be made.

Therefore most humbly and respectfully solicit
your honor, to take my Petition into just and impartial
consideration and procure me an order from his Lordship
in Council, according that of the report submitted
by the Collector and the Proceedings of the Board
of Revenue and confirm me in my hereditary
Right.

Donnerstag 21. 9.

You must abscond him. He is a scoundrel.

19th July 1866.

13. Deanna Rosemary Anderson

TO

HIS EXCELLENCY THE RIGHT HONORABLE
THE GOVERNOR IN COUNCIL,
Fort St. George.

The humble Petition of NUNJAPPA VANAVAROYA GOUNDEN, son of PERAMIA VANAVAROYA GOUNDEN, original grantee of the Samatoor and Kotumputty Polliem, in the Pollachy Taluq, District of Coimbatore.

HUMBLY SHEWETH.

1. That Petitioner is the eldest son of the second male branch of the family of Peramia Vanavaroya Gounden, the party who was confirmed in possession of the Polliem on the resumption of the Country by the British Government.
2. After the demise of Petitioner's father, the Estate devolved on his eldest son Ramasawmy Vanavaroya Gounden, and in succession to him, on his son Soobooroya Vanavaroya Gounden, who died without any male issue.
3. From the Estate being an indivisible one, the sequence, consequent on the death of his undivided nephew is, that Petitioner, who is now the head male representative of the family is fairly and conclusively entitled to succeed to the Polliem.
4. Petitioner's right to the succession is clear and unquestionable, and would be at once admitted, were it not for the nefarious practices of his opponents who seek to set up a fictitious claim on behalf of an alleged adopted son of the deceased Soobooroya Vanavaroya Gounden, Petitioner's deceased nephew, the late Poligar.
5. To the alleged illegal adoption, Petitioner would beg to submit the following points :—
 - I. That the deceased Poligar, Petitioner's nephew did not have, or make known his intention to adopt a son.
 - II. That if he even had an intention to adopt a son, he did not intimate it either verbally or by letter to the authorities, as is required by the Circular Orders and according to Hindu Law.
 - III. That the father of the alleged adopted son had predeceased him, and therefore it was incompetent in his mother, according to Hindu Law to bestow him.
 - IV. That according to the Shastras an only son cannot be given in adoption.
 - V. That it is incompetent in a widow to bestow a posthumous and an only son in adoption without the previous consent of her deceased husband.
 - VI. Besides, the mother being insane could not have given her son in adoption.
6. From these several grounds, your Lordship in Council will distinctly and clearly perceive that the alleged adoption was not made—if made—that it is irregular and illegal, and does not and cannot bar Petitioner's succession to the Polliem.

Recd: 1866, Oct 11.
No. 2160.

From
Nanjappa Vann

= Navaroya Gounden
= Son of the
Original Grantee
= Late Peramia
Gounden, late
Poligar of Sam
= Kotumputty
= Polliem and the
= Late Poligar
= of the
= Polliem.

Obtained 19th July.
Received 20th July 1866.

No. 1. No. 257/60

Submitted as Petition to the Right
Honorable the Governor & Council
that order be issued accordingly
that in his Majesty's High Court
as the Polliem of Samatoor and
Kotumputty in District of Coimbatore
be.

7. In substantiation of the foregoing points, Petitioner would beg to submit, with reference to the first two, that no intention of adopting a son was ever expressed, in the presence of any other members of the family, nor was any such wish or intention communicated to the local authorities, which he should and would have done according to the Circular Orders of the Board of Revenue of the 16th July 1846 at page 405, Note I, Volume I, and Hindu Law. Mitashara Chap. I, verse 13, pages 310-11. "Having convened his kindred and announced his intention of (adoption) to the king.

8. It is alleged that Petitioner's late nephew did express his wish to adopt a son, and that only a day before his death. This he did not do, but even if he had, it would be illegal. Thus in "Morley's Digest," Vol. I, page 16, para. 34, it is stated that "an alleged dattaka adoption by a person in a state of insensibility from dangerous illness, by a verbal declaration and without performance of the prescribed ceremonies was held to be illegal and invalid."

9. Petitioner's nephew was on the point of death, as is admitted by his opponents themselves, and he could not in the insensible state he was in, have given any verbal declaration; and furthermore no ceremonies whatever were performed. Consequently, it is evident that no adoption ever took place.

10. With reference to the 3rd point, Petitioner would submit that it is evident that the (alleged) adoption could not have taken place as the father of the boy had already pre-deceased; and even if the adoption had been made it would be invalid. In "Morley's Digest," page 18, para. 52, it is given that "a boy cannot be adopted, although his natural father should have consented to the adoption, if the latter should not have lived to make the gift of his son."

11. This is emphatic language. It states that *a boy cannot be adopted should the natural father not have lived to make the gift of his son*. The natural father died 22 days after his marriage, and of course long before the birth of his posthumous son. It follows therefore that the alleged adoption is invalid.

12. This is still further more strongly borne out by the following quotation from "Morley's Digest," page 17, para. 40. "According to the Law as current in Benares, the adoption of an only son is invalid unless the natural father deliver his son to the adoptive father."

13. Here two things are to be noted as required for the validity of an adoption, the one is that the natural father should in person deliver his son, and the second is, that the *delivery should be made to the adoptive father*. When the adoption alleged to have taken place was made, the natural father, had long pre-deceased him and therefore did not deliver his son and hence the alleged adoption cannot be valid.

14. In respect to the 4th point, that an only son cannot be given in adoption, the law is so clear and absolute that there can be no question regarding it. In Mitashara (the Principal Law Book on Inheritance and admitted on all hands as of the highest authority) Chap. I, verse II, Page 310, it is given an only son must not be given (nor accepted) for Vasishtha ordains "Let no man give or accept an only son." Numerous other quotations from Decrees might be given to show that an only son cannot be given in adoption, but petitioner trusts that it is unnecessary.

15. The reason why an only son cannot be given in adoption is obvious. In the note given to the above quotation it is stated "Let no man give or accept an only son." "For he is (destined) to continue the line of his ancestors."

16. But there is a still higher motive—that of a deeply rooted religious principle which prevents, every Hindu father from parting with his only son in adoption. Sir Thomas Strange in Vol. I, page 73, edition 1st, thus expresses himself "For the interest that every Hindu father has in his own obsequies restrains the parting for adoption either with his *eldest* or with an *only* son; it being of such comparative importance to him that they should be performed by a son of his own."

17. The reasons here given against the ground in adoption of an *only* Son are two fold, viz:—

1st. That an only son must continue the line of his ancestors, and 2dly that he should perform the obsequies of his father.

18. These two points are essential, particularly essential—in the view of every Hindu father, nor can the mother *alone* bestow the only son of her husband in adoption.

19. To substantiate this (with reference to the 5th point) Petitioner would beg to solicit the attention of your Lordship in Council to the subjoined quotations from the standard works of Hindu Law.

20. Sir Francis Macnaughten in his considerations of Hindu Law, page 208, states "I am not aware of anything in the Hindu Law less contestable than this, *that a woman cannot give her son in adoption without the permission of her husband* Vasishtha says "Let not a woman give or accept a son without the consent of her Lord." Upon this "Sri Natha Bharta observes the donation or acceptance of a son by a wife without the consent of her husband is what IS INVALID."

21. What language can be stronger or what principle be more distinctly laid down? Nothing can be less contestable than that *a woman cannot give her son in adoption without the permission of her husband*. As already stated, no permission could have been obtained by the widow of the alleged adopted son from her husband since he deceased soon after his marriage.

22. This principle is still further borne out by Colebrooke in his "Digest of Hindu Law" Vol. III, page 242, line 6, in which he "states that should the man be deceased, the child must not be given by the woman without the assent of her husband, *declared before his death*, as ordained by a special text."

23. Here again Petitioner would observe that the deceased husband could not have declared his wish that his son should be given in adoption before his death as the child was not in existence; nor was he aware that he would have a son or any issue whatever as he died just 22 days after his marriage.

24. These truths can be still more distinctly seen from the following quotations: from "Select Decrees" of the late Sadr Udalat Court, Vol. I, No. 3 of 1817 page 157 "although the wife may not have obtained the consent of her husband during his life to give their child in adoption, it is never the less competent to her, having obtained the consent of father, brothers, &c., to give her younger son in adoption."

25. According to this Decree the bestowal of a son in adoption should be that of her *younger son*. But in the case disputed by Petitioner, the gift is alleged to have been made of an *only and eldest son*, by the widow unauthorized by her husband.

26. The decision passed by the High Court in Decree No. 412 of 1862, page 51, Vol. I, does not invalidate the adoption of an only son is altogether inapplicable to the present case, for there the gift of a son for adoption was made by the father himself, who thereby forfeited his hopes of salvation or the future peace of his soul; but in the present instance, the father had himself died before the birth of his son and of whose very existence he was not aware; and besides the mother was insane and therefore not competent to give her son in adoption. Further, this decision is not Law; nor does it accord with Hindu Law or the Decrees passed by numerous Judges of the late Sadr Udalat Court. Any other Judge of the High Court may hereafter give a contrary opinion and what then? Which decision would hold good?

27. That the alleged adoption is invalid may be deduced from the following consideration: Sir Thomas Strange in Chap. III. Vol. I, page 61, states that "the primary object of marriage with the people in question, being the birth of a son *** the future beatitude of the man depending according to Hindu Law on the performance of his obsequies as the means of redeeming him from an instant state of suffering after death."

28. From the foregoing quotation it will be seen that the mother of the adopted son had not and could not have the right of bestowing the only son of her deceased husband in adoption.

As immediately above shown the object of marriage among Hindus is to beget a son in order to perfect their bliss in a future state: nor can any one, unless without the personal cognizance and presence of the father, deprive him of the prospects of salvation by giving away an only son in adoption. No greater evil can be experienced by a Hindu than not to have a son to perform his funeral obsequies, and thereby procure him a state of beatitude at once after his decease. The object of marriage being such, what right or authority can the widow of a deceased husband or any other person have in depriving him of his only means of escape from Put, "a place of horror to which the manes of the childless are supposed to be doomed, there to be tormented with hunger and thirst for want of those oblations of food and libations of water at prescribed periods, which it is the pious and indispensable duty of a son to offer"—*Sir T. Strange, pages 61 and 62 Edition 1st.*

29. The property in the son is entirely invested in the father, and that for the object above stated; therefore no one can religiously or legally dispossess him of that inestimable blessing. Sir Francis Macnaghten, page 208 para. 4. "In the Bharata we find the mother is the fosterer; that son is of the father—he is *that very person* by whom produced."

30. That the widow was incompetent to give her son in adoption is thus clearly established, but in addition to the alleged adoption being irreligious and illegal, it is rendered still more invalid from the fact of the mother of the boy being thoroughly demented and incapable of performing a single action of her free will and accord in a sane and proper state of mind.

31. Petitioner is given to understand that the subject is referred to the Advocate General, Mr. Mayne, for his opinion, and Petitioner's opponents state that they can and will obtain his opinion in their favor, in contravention of all the foregoing indisputable facts, and though the case is very clear, yet their assertion is to be the more believed, since they have already engaged that gentleman's services and paid him largely for preparing a petition on their behalf to the Board of Revenue. If their assertion be true, what justice can Petitioner hope to obtain? What sort of opinion will that officer give when he is pre-possessed in favor of Petitioner's opponents? Surely no opinion need not be taken after all the most established authorities adduced by Petitioner and quoted by him, which can be easily referred to, as all the works are in the Government office. Besides Your Lordship in Council, composed of the best experienced Judicial and Revenue officers of the Presidency, are thoroughly acquainted with the Hindu Laws, customs and manners, and there can be no necessity to refer the question for the opinion of any law officer.

32. Without a question, the Judges and Barristers of the High Court are learned in English law and have a theoretic knowledge of Hindu law, but how can it be expected that they should be acquainted with the manners and customs of the inner life of Hindus or the religious motives which influence them.

33. In recapitulation of all the foregoing points, Petitioner would submit

I. That no adoption was made.

II. That if such an adoption was made, it were illegal.

III. For he being an only and posthumous son, he could not be given in adoption.

IV. For it were necessary for the natural father to bestow the son, but who had died before the birth of his son, that is 22 days after his marriage.

V. That it were incompetent for the widow to give an only posthumous son in adoption without the consent of her husband before his decease.

VI. That thereby she would deprive her husband of his only hopes of salvation.

VII. That illegal as it would have been on the part of the widow to give her only and posthumous son away in adoption, if she had done so, it becomes still more illegal and in fact impossible and improbable from the glaring fact of her being in a state of perfect and stark madness.

VIII. That the opinion reported to have been expressed by the Advocate General does not at all accord with Hindu Law as is laid down by the highest and most approved authorities which are quoted above.

IX. The Polliem being an unsettled one is indivisible, and as Petitioner is at present the head male representative of the family and nearest of kin to the original grantee, being the second son of the eldest branch of the family, as also, he is the nearest of kin to his deceased nephew, the late Poligar, and as the alleged adopted son belongs to the youngest branch, the Polliem, without reference to the validity or invalidity of the adoption, should in all fairness and justice be conferred on him.

X. No member of a younger branch can supersede one who belongs to the elder branch, and from the Polliem being an unsettled one and a military Fief, no female or minor were ever placed in possession of it either by the Hindu, Mahomedan or British Government.

XI. And lastly, there was no necessity for an adoption to have been made by Petitioner's deceased nephew, and even if he did make the adoption, it would have been only for the performance of his funeral obsequies and not to the succession to the Polliem which is entirely in the gift of Government, and who cannot allow a grand son of the younger branch to supersede the son of the original grantee. Moreover, an adopted son was never allowed to succeed to an unsettled Polliem.

Petitioner's claim to succeed to the Polliem being clear and indisputable, it will be hard if, by Government placing the wrong party in possession, he should be put to unnecessary expense and trouble by going to law, involving him in a long course of litigation which would be a very great hardship to him.

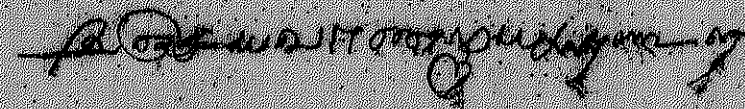
Petitioner humbly solicits your Lordship in Council to be graciously pleased to pass an order placing him in possession of the Polliem according to the vested prerogatives of Government—which if they should do, the matter will be finally settled, and the Courts will have no jurisdiction, and all litigation will be avoided.

For this act of justice Petitioner

As in duty bound,

SHALL EVER PRAY.

7th August 1866.



Chas. F. R. R. Esq.
Secretary to Government

Honored and respected Sir;

~~My~~ Your honor was aware that my case is now under the consideration of the Government, a full and detailed statement of which is submitted in the enclosed petition, in perusal of which with conviction your honor of the justice of my claim to succeed to the Senator and Representative position. My claim to the Governorship is equally as indisputable, as will be seen from the several grounds submitted by me. The opinion, as it is given to understand by my opponent given by the Advocate General is adverse to my claim, and if that opinion alone, without reference to my petition be acted upon, I can expect no justice.

I therefore most humbly and respectfully solicit your honor to be graciously pleased to bring my case to the prominent notice of His Lordship in Council and procure me

Chas. F. R. Esq.

1871

not a favorable order, placing me in
possession of the Pelicans

I beg to remain

Honored and Respected Sir

Your most obedient humble servant

to Edward J. May

20 August 1866

20^e. Aug. /60

The said Estates, in
the exercise of their
prerogative, to de-
clare Kolunda
Swamy Parava Raja
Korundu of the added
share of the late Poligar
to be ~~his~~ ^{Poligar} ~~his~~
Samastan & Karam-
matty in the Polachy
Talook of the Con-
fettue District.

The Court of War

Pro = 1800.00
Pro of 1000.00
17. 2080.

Thomomys talpa
Harrardya
Ground, among
Harrardya Harrard-
= Talpa Ground
or ground gnawed
of the Harrardya.
Guthrie fault 18.
Harrard -
Dated by J. Aug.
Decem 15th, 1860.

including a
petition containing
a full and detailed
statement of the case
which I forward to
claim to succeed to
the award, & for
fully believe, I require
that justice be
done to him. —

SD 2145-2010

Ms. A. 9.2

will adopt the
necessary measures
for assuming charge
of the Estate under
No. 5 of 1804 and for
insuring the proper
education of the
minor Poyar and
his sister.

The Collector will
report to the Court, in
accordance with the
order of No. 10 of 1805
No. 2730, an order of
Permanence & Sumat
made by the
Court Poyar and
his sister with the
necessary

J. D. L.

16/1/1806

Report on England
By 12th Aug. 1866 of 1867
in

Revenue 1866 Report
No. of Govt for Aug 1866

12th Aug 1866

No. of the Election of
By 20th August 1866

No. of the Branch of the
of 5th Aug 1866: 1867

William Crispin

Shewson of the ad.
orate Shewson of the ad.
the validity of ad. of the
of the Shewson of the ad.
late Shewson of the ad.
with order of the ad.

1867 1867