

No. 318. Read the following Proceedings of the Court of Wards, dated 15th June 1871, No. 2,411:—

Read the following letter from the Acting Collector of South Canara, to the Acting Secretary to the Court of Wards, dated Kudremukh, 3rd May 1871, No. 578.

I HAVE the honour to report, for the orders of the Court of Wards, the following case:—

2. Shrinivasa Row, the late Principal Sudder Ameen of Mangalore, died on the 26th of May, 1870, leaving three daughters and a son. Two of the former are widows, and the third is married. The son, Shama Row, was born on the 18th of May, 1862, and is consequently 9 years of age.

3. The two widows and the son live in the house of the deceased. The daughters, however, are not entitled to any share of their father's property.

4. The minor is under the care of Gundu Row, the husband of the third daughter, and it appears to be the wish of the family that he should be appointed guardian.

5. The property left by the deceased consists of five estates, assessed at Rs. 149 odd, and one garden, assessed at Rupee 1 and odd, and held on Mulgeni (permanent lease). Four of the estates are held on usufructuary mortgage, redeemable by the mortgagors some years hence.

6. The value of the deceased's moveable property, consisting chiefly of gold and silver ornaments, brass and copper utensils, etc., is estimated at Rs. 7,198-12-0. The debts due to the deceased amount in all to nearly Rs. 11,000, and the debts due by him are estimated at Rs. 2,334-0-5.

7. I have the honour to suggest that I should be authorized to move the Civil Court, under Section 20, Regulation V. of 1804, to appoint a guardian and manager of the property during Shama Row's minority.

SUBMITTED for the orders of Government.

2. The Board approve of the Collector's proposals.
3. The delay in reporting the case should be explained.

No. 319. ORDER THEREON, 29th June 1871, No. 1,124.

Miscellaneous.

So far as the description of four out of the five estates and of the garden extends, the deceased does not appear to have stood in any direct relation to Government as tenant. Probably he was the proprietor of the fifth estate.

2. It is, of course, the Collector's duty, under the Section he quotes, extended, however, by Section 3, Regulation X. of 1831, to report the case to the Court of the Zillah, with a view to the nomination of a guardian by the Civil Judge; and

specimens need not travel any further, unless the Ct. of Wards
any particular instance it is specially desirable to submit the matter to the
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Proceedings of the Madras Government, Revenue Department,
29th June 1871.

where the deceased paid directly rent or revenue to Government, it may be a proper practice to make a report further to the Court of Wards in cases of sufficient importance (*vide* G. O., 22nd May last, No. 900); but the reference need not travel any further, unless the Court of Wards, in any particular instance, think it specially desirable to submit the matter to Government.

(True Extract.)

(Signed)

D. F. CARMICHAEL,
Acting Secretary to Government.

To the Court of Wards.

Exd. F. R. Bartleman.

29 June 71

N 1124

Pr. Ct. Wards, No. 2411

15th June/71

The Law does not
define report in
such cases as this,
but it has always
been usual - I shall
ask him the collector
his book and tell
the Court that in
future they are
at liberty to dis-
pose of cases like
this in that re-
ference of the Court
when they think
fit to refer.

LOP

and where the deceased
paid directly rent or
revenue to Govt, it may be a
proper practice to make a report
further to the Court of Wards in cases of
sufficient importance (*vide* G.O. 22nd May last No 900);
but the reference need not travel any further, unless the Court of Wards
in any particular instance think it specially desirable to submit the matter to Government.

It being provided by Sect II Prof V of
1806 that the powers of the Court of Wards
shall not extend, in any case, to the
property of persons not paying
directly rent or revenue to Govt.
it is not very clear why the Collector
addresses the Court in his instance.
So far as the description of the estate
and garden extends, the deceased
does not appear to have stood in any
direct relation to Govt, as tenant. Possibly
he was the proprietor of the fifth estate.
2. It is of course the Collector's duty,
under the Section he quotes - extended
however by Sec III Prof X of 1831 - to report
the case to the Court of the Zillah, with
a view to the nomination of a Guardian
by the Civil Judge; But his duty,
being obligatory on him by the terms of
the Enactment, neither the authority
of the Court of Wards nor the sanction of
the Govt is required; Any more than
his numerous other cases where his
conduct is prescribed by statute.

23/6/71

11th June Court of Wards No 2411

Ms. A. 9. 18. 311

Certain Estate
South America the
place of residence
of many

John Miller

deceased