Read the following papers:—

No. 55. From the Acting Third Member of the Board of Revenue in charge of the Inam Department, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 10th December 1870, No. 46.

Second Member's letter to Government, Revenue Department, dated 16th December 1869, No. 8.

10th April 1862, No. 806.

WITH reference to the Order of Government, dated 5th November 1870, No. 1,707, I have the honour to state that the Hill Village of Peria Kalroyen is still pending final settlement in the Inam Department.

2. Under the Order of Government noted in the margin, laying down the principles on which such tenures are to be treated, Peria Kalroyen ought to be dealt with in the same manner as other Hill Villages situated in the taluq of Kallakurchi, South Arcot District. These other Hill Villages* have been enfranchised on a quit-rent of one-eighth of their estimated annual value.

	Number of Villages.	Estimated annual value.	Jodi.	Quit-rent at one-eighth.	Number of Title-deed.
		Rs.	Rs.	Rs	
* 1. Sadayakaundan ...	40	1,803	...	225	1,384
2. Kurumbakaundan	42	1,229	...	154	1,385
3. Aryakaundan ...	14	299	37	70	1,386

3. The quit-rent of Rs. 187 a-year proposed on Peria Kalroyen was calculated at one-eighth of its annual value taken at Rs. 1,500—*Vide* letter of Second Member quoted in paragraph 1.

No. 56. Proceedings of the Board of Revenue, dated 11th January 1871, No. 135.

Read the following letter from the Collector of Salem, to the Acting Secretary to the Board of Revenue, dated 24th November 1870, No. 245.

WITH reference to paragraph 2 of the Proceedings of Government, under date the 5th instant, No. 1,707, I have the honour to state that I see no objection to the issue of an ordinary Title-deed to the Jaghiredar of Peria Kalroyen, provided that it does not confer the power of alienation on him. The reason for considering it inadvisable to confer such a right on the Jaghiredar, who is an ignorant Malyaly, is given in paragraph 6 of the late Collector's letter, No. 108, of the 27th June last, a copy of which is embodied in the Government Proceedings under reply.

2. The information required in paragraph 1 of the Proceedings is with the Board in the Inam Department.

SUBMITTED to Government with reference to their Order, dated 5th November 1870, No. 1,707.

2. The Board have already expressed their opinion that the Jaghire of Peria Kalroyen should be enfranchised by the Inam Commissioner free of quit-rent, and that a Title-deed should be issued in the usual form.

3. They learn from the letter addressed to Government by the Acting Third Member in charge of the Inam Department that similar Jaghires in South Arcot have been enfranchised on a quit-rent of one-eighth of their estimated annual value.

4. In the case of Peria Kalroyen the charge of quit-rent, if considered necessary as a token of enfranchisement, will be merely *pro forma*, as it is not likely the Jaghiredar will consent to pay the quit-rent to Government out of the annual sum of Rs. 1,500 now stipulated to be paid to him permanently.

5. The Board, therefore, are disposed to adhere to the opinion already expressed by them.

No. 57. ORDER THEREON, 3rd March 1871, No. 387.

Miscellaneous.

THE question at issue is whether the Hill Jaghire of Peria Kalroyen, which has been permanently leased from the Jaghiredar by Government at an annual rent of Rs. 1,500, the Jaghiredar reserving certain land in three villages *free of rent*, shall now, in accordance with previous orders, be enfranchised from liability to lapse by the Inam Department under the rules prescribing payment of a quit-rent for enfranchisement, which would amount to Rs. 187 in this case, or be left in its existing condition. The Jaghire is at present held free of any payment to Government, but without Sanad.

2. The late Collector was opposed to the enfranchisement on the ground that no quit-rent could be charged under the terms of the lease, and that it was undesirable, under these circumstances, that the Government should relinquish their right of ultimate reversion.

3. The Board of Revenue advocate the enfranchisement *free of quit-rent*, and the issue of the usual Title-deed, observing that if this is not done the Jaghiredar will have cause to complain of breach of agreement.

4. The Government do not see that the enfranchisement is necessary as a fulfilment of any preliminary condition to the lease, as the Jaghiredar, in his petition that the estate might be leased from him, only adverted to the prospect of a quit-rent being fixed as a reason for his proposal; but they agree with the Board that no payment of quit-rent can be required from him, as he conditioned for holding the lands he reserved to himself *rent free*.

5. The contingency of ultimate reversion to Government is, in this case, so exceedingly remote that it may well be left out of consideration.

6. If a Title-deed is granted the Jaghiredar would thereby acquire an indisputable power of alienation, and it may admit of question whether this right attaches to his present tenure. The Board of Revenue advert to this consideration as affecting the validity of the lease, and adduce it as an argument in favour of enfranchisement, but it may be questioned whether subsequent enfranchisement would render valid a prior transaction otherwise invalid. It would probably be deemed necessary to obtain a fresh lease, although the terms might remain unaltered.

7. The Government resolve to refer for the opinion of the Government Pleader the question as to the Jaghiredar's power, under his present tenure, to grant a lease binding on his successors.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Inam Commissioner.
,, the Board of Revenue.
, the Government Pleader.

Exd. F. R. Bantleman.

No. 135.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th January 1871.

Read the following letter from C. T. LONGLEY, Esq., Collector of Salem, to the Acting Secretary to the Board of Revenue, dated 24th November 1870, No. 245:—

WITH reference to paragraph 2 of the Proceedings of Government, under date the 5th instant, No. 1,707, I have the honour to state, that I see no objection to the issue of an ordinary Title-deed to the Jaghirdar of Peria Kalroyen, provided that it does not confer the power of alienation on him. The reason for considering it inadvisable to confer such a right on the Jaghirdar, who is an ignorant Malyaly, is given in paragraph 6 of the late Collector's letter, No. 108, of the 27th June last, a copy of which is embodied in the Government Proceedings under reply.

2. The information required in paragraph 1 of the Proceedings is with the Board, in the Inam Department.

SUBMITTED to Government with reference to their Order, dated 5th November 1870, No. 1,707.

2. The Board havealready expressed their opinion that the Jaghir of Peria Kalroyen, should be enfranchised by the Inam Commissioner free of Quit-rent and that a Title-deed should be issued in the usual form.

3. They learn from the letter addressed to Government by the Acting 3rd Member in charge of the Inam Department that similar Jaghirs in South Arcot have been enfranchised on a Quit-rent of one-eighth of their estimated annual value.

4. In the case of Peria Kalroyen, the charge of Quit-rent, if considered necessary as a token of enfranchisement, will be merely *pro forma*, as it is not likely the Jaghirdar will consent to pay the Quit-rent to Government out of the annual sum of Rupees 1,500 now stipulated to be paid to him permanently.

5. The Board therefore are disposed to adhere to the opinion already expressed by them.

(A true Copy and Extract.)

J Grote

Acting Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Collector of Salem.

" to the Acting 3rd Member in charge of Inam Department.

Exd. G. A. Turton.

Govt. of 1871 Salem

REVENUE.

THE INAM COMMISSIONER,

&c. &c.

Madras, March 3rd.

Read

G. O., 3rd March 1871, No. 337

Exd.

INAM.

Secs. 55—57.

Hill Jaghires of Peria Kalroyen &c. in Salem District.—Passing orders on Proceedings Board of Revenue relative to its enfranchisement and the issue of the usual Title-deed, and referring for the opinion of the Government Pleader the question as to the Jaghirdar's power under his present to grant a lease binding on his successors.

Revenue Board Office
Inám Department
Madras 10th December 1870

No 46.

From G. Lee, Morris Esqre,
Actg 3d Member of the Board of
Revenue in charge of the Inám Dept.

To W. Huddleston Esqre,
Secretary to Government,
Revenue Department,
Fort Saint George.

Sir,

With reference to the Order of Government dated 5th November 1870 No 1707, I have the honor to state that the Hill Village of Periyakalráyan is still pending final settlement in the Inám Department.

2. Under the order of Government noted in the margin, laying down the principles on which such

2d Member's Letter to Government Revenue Dept. dated 16th Decr 1869, No 8.

10th April 1862 No 806.

Rec'd 1871, Copies.

Board of Revenue,
MADRAS.

PROCEEDINGS, 11TH JANUARY 1871, No. 135.

Despatched

Received

Encl.

JANUARY.
No. 135.

Title-deed.—Letter from Collector of Salem, stating that there is no objection to issue of an ordinary Title-deed to Jaghiredar of Pula Kalroyen, provided it does not confer on him power of alienation, submitted to Government.

Inam 3rd Branch

	Number of Villages.	Estimated annual value. Rs	Jodi Rs	Quit Rent at 1/8 Rs	Number of Fifth Band.
1. Sadaya Kaundan -	40	1803	"	225	1384
2. Kurumba Kaundan —	42	1229	"	154	1385
3. Arya Kaundan —	14	299	37	70	1386

Enures on the Heaked Peraya
-Kabrayan ought to be dealt
with in the same manner
as the other Hill villages situated
in the Taluq of Kallakurichi
South Arcot District. Their other
Hill villages have been enfranchised
on a Quit-rent of 1/8 of their Estimated
-mated annual value.

3. The Quit-rent of Rs 187-
a year proposed on Periyakabrayan
was calculated at 1/8 of its annual
value taken at Rs 1500. Vide
Letter of 2nd Member Sworked in
Para 1.

I have the honor to be
Sir,
Your most obdt Servant

Collector
of 3rd Number in charge
of the Salem Dept.

Encl. A.C.

Revenue Department
No 387
Proc: of the Madras Govt
Under date the 3rd March 1871.

Read the following

Letter from the Govt: of Madras
to the Bd: of Revs: in charge
of the Main Department.

Dated 10th December 1870.
Received 12th ditto

No 46
Fort St George 3rd March 1871

Sir,

With reference to the Order of Government dated 5th November 1870 No 1707 stating that the Hill village of Periya Kalrayan in Salem District is still pending final settlement in the Main Department.

Pro 10 Sept 1870 No 179-80
" 8 Dec 1870 No 59-60.
" 5 Jan 1870 No 62.

Pro 3 March 1871 B. No 55

Pro 14 Jan 1871 No 27 to Feb 4th

Revenue Department
No 387
Proc: of the Madras Govt
Under date the 3rd March 1871.

Read the following

Letter from the Govt: of Madras
to the Bd: of Revs: in charge
of the Main Department.

Dated 10th December 1870.
Received 12th ditto

No 46
Fort St George 3rd March 1871

Sir,

With reference to the Order of Government dated 5th November 1870 No 1707 stating that the Hill village of Periya Kalrayan in Salem District is still pending final settlement in the Main Department.

I am directed to request that you will be pleased to submit for the consideration of Government a report on the subject, stating whether the Inhabitants of the village have been permanently released from the payment of the Peishcush levied by the Zemindar of Morasa and whether the Inhabitants have been put in possession of the Lands which they held on the Zemindar's resumption of the Estate.

I am Sir
Your most obedient Servant
(Sd:) Boswell
Secretary to Government

Revenue.

1870 Department.

Fort St George, No 3813.

The Hon'ble Member of the Board of Revenue in charge of the Main Department.

To,

The Secretary to Government Revenue Department.

Sir,

I am directed to request that you will be pleased to submit for the consideration of Government a report on the subject, stating whether the Inhabitants of the village have been permanently released from the payment of the Peishcush levied by the Zemindar of Morasa and whether the Inhabitants have been put in possession of the Lands which they held on the Zemindar's resumption of the Estate.

I am Sir
Your most obedient Servant
(Sd:) Boswell
Secretary to Government

village.

village fees of rent shall
now in accordance with the
provisions, orders be enfran-
chised by the Inam Dept.
from liability & Clip
under the rules prescribing
payment of an quit-rent
for enfranchisement, which
would amount to Rs. 189.
in this case, or be left in
its existing condition -

2. The late Collector
was opposed to the enfran-
chisement on the ground
that no quit rent could
be charged under the terms
of the lease, and that it
was undesirable under
these circumstances that
the

The Jaghire is at present held
from Govt. by Lieut. Colonel
Lutz-Thomas Commdg.

the Govt. should relinquish
their right of ultimate reversion

3. The Board of
Revenue advocate the en-
franchisement free of
quit rent and the issue
of the usual title Deed,
observing that if this is
not done the Jaghiredar
will have cause to complain
of breach of agreement.

4 The Govt. do not see
that the enfranchisement
is necessary as a fulfil-
ment of any preliminary
condition as the Jaghiredar
in his petition that the
Estate might be leased from
him

[illegible] to the
prospect of a quit rent
being fixed, as a reason
for his proposal, but
they agree with the Board
that no payment of quit
rent can be required
from him, as he condition-
-ed for holding the lands
he reserved to himself
rent free.

5. The contingency of
ultimate reversion to Govt.
is in this case so exceeding-
-ly remote that it may
well be left out of con-
-sideration.

6. If a title-deed is
granted the Surveyor
would thereby acquire
an indisputable power
of alienation, and it
may ~~perhaps~~ admit
of question whether this
right attaches to his
present tenure. The
Board of Revenue ad-
-vert to this considera-
-tion as affecting the validity
of the lease and adduce
it as an argument
in favor of enfranchise-
-ment, but it may be
questioned whether sub-
-sequent enfranchise-
-ment would render
valid

G. C.

Leave superseded
of Writ issued in Salem District

Dft Granted
9 Feb 1/11/72

I think we had
better ask the pltf's
Pleader. As he has
no record pltf can
legally assess the dam.
pltf in full at any
time - but they cannot
take him or his
heirs of the real property
right & it subsists - under
any circumstances
this bearing however ends
with his life, & the
husband. Will be
not sell?

N. Lord

A. G.

No 55 & 57