

No. 159. Read the following Proceedings of the Court of Wards, dated 8th March 1873, No. 344:—

Read the following letter from W. McQUHAE, Esq., Acting Collector of Madura, to the Secretary to the Court of Wards, dated 4th March 1873, No. 62:—

I HAVE the honour to recommend that the estate of the late Zemindar of Ramnad be placed under the charge of the Court of Wards as soon as possible. To avoid delay I submit this report now, though the information I have to lay before the Court is incomplete. Besides, the present condition of the estate, its requirements and future prospects have already been fully discussed in the report by Mr. Bliss, embodied in the Proceedings of Government, Revenue Department, dated 13th June 1871, and in the subsequent reports embodied in the Board's Proceedings, dated 4th November 1871.

2. The Zemindar has left five widows, two sons, and seven unmarried daughters, whose names and ages are shown in Enclosure No. 1. The eldest son named Baskaraswamy is four years and four months old, having been born on the 3rd November 1868. He is the son of the senior widow Muthatha Nachiar, and will come of age on the 3rd November 1886. The Zemindari should be registered in his name.

3. Immediately after the Zemindar's death quarrels commenced in the palace. The senior widow relying on a yadast, translation of which is Enclosure No. 2, declared herself Zemindarni and appointed as her agent one Samy Cannoo Taver, who has been in jail for dacoity. I believe this yadast is not genuine and is of no legal effect. The Deputy Collector in charge of the Salt Department saw the Zemindar at half past 6 o'clock on the evening before his death, shortly before the last attack which rendered him unconscious. The Head Assistant Collector was at Ramnad, and the Special Assistant arrived before the Zemindar died, but none of these officers heard anything of this yadast at that time. Nagalingam Pillai, who was styled Private Secretary, and other persons who might be expected to know of it if it were the act of the Zemindar, are equally ignorant, and the signature appears to me materially different from the Zemindar's ordinary signature.

4. The Zemindari was attached for arrears of peishchush in December 1871, but the Zemindar retained the villages belonging to the chuttrums and devastanums, of which he was hereditary trustee, and the private lands held on various tenures known as Pannay, Kolkrium, and Sirootettoo. I have assumed the management of the endowed chuttrums coming under Regulation VII. of 1817, and I request instructions regarding the devastanum trust. There are 59 temples, with an income of Rupees 1,39,869.

5. The private lands produce a gross income of about Rupees 50,000 according to the Zemindar's accounts, and will, I presume, be placed under the charge of the Manager under Section 12, Regulation V. of 1804. This includes cowles granted to members of the Zemindar's family, which must either be resumed or considered when fixing the maintenance allowances, and I have also to state my opinion that under proper management the income of these private lands will be much larger.

*Proceedings of the Madras Government, Revenue Department,
15th March 1873.*

6. The cash, jewels, etc., found by the Head Assistant Collector outside the Zenana are valued at Rupees 27,587. The camels, elephants, horses, and other unnecessary cattle should be sold as soon as possible.

7. The cost of the existing establishment is as follows:—

	RS.	A.	P.
Special Assistant Collector and tentage	1,087	8	0
His establishment	997	5	0
	2,084	13	0
Establishments of eight Taluqs	3,518	8	0
	5,603	5	0
Monthly cost...	67,239	12	0
Annual cost...			

A small temporary establishment is also employed to supervise the division of nunjah produce. The Court will observe from paragraph 64 of Mr. Bliss's first report that the reduction in cost is about Rupees 20,000, and the reduction in number has been very great.

8. It seems necessary that the estate should be managed by a European officer for some years at least, and I presume the Special Assistant can be appointed Manager.

9. There are serious objections to every one of the Tavers who could be selected as guardian, and I recommend the appointment of a paid guardian unconnected with the family. If this proposal is approved I shall endeavour to name a suitable person. We have the example of Ponnusamy Taver, who appointed a paid Brahmin to manage his children and estate in preference to any of the Maravars.

10. The amount of maintenance allowance must also be reserved for future report, for I do not know the exact value of the numerous cowles given by the Zemindar to various members of his family in anticipation of the assignment of his estate to Government. If absolutely necessary advances may, I presume, be made to the widows to be adjusted out of their sanctioned allowances hereafter.

11. Since the estate has been under attachment little has been done for the ordinary repairs of works of irrigation, and it is very necessary that something should be done at once, pending definite arrangements for the execution of these works. I would therefore recommend that Rupees 10,000 be advanced to the Special Assistant Collector at once for expenditure on tank bunds without regularly sanctioned estimates or other check. If this is not done the dry season will be over before those works which are emergent can be commenced, and professional supervision is unnecessary in the construction of each work.

12. Enclosure No. 3 is a statement of the Zemindar's debts to private creditors corrected up to March 1st, distinguishing those chargeable on the estate from those which are not so chargeable. As some of the creditors only arrived last night this statement has been prepared hastily, but I believe it shows every thing.

13. The method of calculation is explained by Mr. Bliss in paragraph 45 of his first report, and in the remarks appended to the statement, and the opinion of the Advocate General has been obtained regarding those claims which are numbered with ordinary numerals. The claims numbered with Roman numerals were

*Proceedings of the Madras Government, Revenue Department,
15th March 1873.*

reported on by Mr. Bliss in his Memorandum, dated 17th October 1871, with the exception of XVI., XVII., and XVIII., which are new debts and must be specially reported on.

14. *Debt No. XVI.*—The sums included under this debt were all borrowed at different times after January 1872 for the Zemindar's household expenses, and Enclosure No. 4 is a translation of the settlement of accounts. The only excuse for this debt is that the allowance of Rupees 3,000 a month granted by Government was insufficient. The Zemindar was then in such circumstances that rigid economy was absolutely necessary for the preservation of his estate, and I have classed this debt as not chargeable.

15. *Debt No. XVII.*—Enclosure No. 5 is a settlement of accounts of this debt. The first item is clearly not chargeable, for we have already paid more than was necessary to Vakils for the Ramnad suit, and I never knew before that this particular Vakil was employed. The other items seem fair Law expenses. The retaining fees given to Messrs. Mayne, Gould, and Handley do not appear excessive, though it is a little premature to engage Counsel for a Privy Council appeal in this case at present.

16. *Debt No. XVIII.* (Rupees 10,000) is merely an estimate of debts due to shopkeepers and arrears of pay due to household servants. Claims to a larger amount will be made, and I have estimated this as chargeable.

17. I only know of one other claim for Rupees 12,800 preferred by Samy Cannoo Taver, brother of the senior widow, but I have no information regarding this debt and have omitted it entirely.

18. Most of these loans being consolidated it would be advisable to have advice regarding the proper mode of proving that the part of the debt we pay is that which is chargeable to the estate. It is also necessary to consider what rights the creditors have against personal property and Kolkrium, Sirootattoo and Pannay villages. In these tenures the occupancy right belongs to the Zemindar. The assessment or melwaram is in some cases included in the assets of the estate. In other cases nothing is paid to the estate, but all these tenures have always been regarded as perfectly distinct from the Zemindari.

19. On the 31st December 1871 the debts to Government were—

	RS.
Peishcush	5,64,937
Interest... ..	77,441
Road Cess	32,081
Total...	6,74,459

On the 31st December last they were—

	RS.
Peishcush	4,32,791
Interest... ..	1,07,720
Road Cess	47,654
Total...	5,88,165

20. The result seems sufficiently satisfactory, considering that nothing was done for the improvement of the tanks, and that Rupees 39,850 were paid on account of Law suits.

*Proceedings of the Madras Government, Revenue Department,
15th March 1873.*

21. Enclosure No. 6 is an abstract showing the receipts and disbursements during the year 1872.

22. Enclosure No. 7 is an abstract of the lists of private property submitted by the Head Assistant Collector. The Chank and Chayroot royalties are not private, having been included in the assets of the Zemindari.

23. The total debts due to Government on 31st January last were—

	RS.
Peishcush	4,67,792
Interest	1,09,708
Road Cess	47,694

Payments made to plaintiffs (Creditors No. 3, 5C., and 5D.) in	Total...	6,25,194
Original Suits Nos. 1 and 3 of 1872, on the file of the Civil Court.		
	1,37,065	
	Total...	7,62,259

As a set off against this the Special Assistant had a balance on that date of Rupees 1,43,944.

24. The debts due to private creditors on 1st March 1873 amount to Rupees 11,96,805, of which Rupees 9,38,131 are classed as chargeable, and Rupees 2,58,674 as not chargeable to the estate.

As it is of the most urgent importance that the estate should be placed under the charge of the Court of Wards without delay, the Board resolve to submit this letter to Government for early orders, that the Collector may assume charge at once. The questions raised in the Collector's letter can be discussed afterwards.

No. 160. ORDER THEREON, 15th March 1873, No. 319.

Miscellaneous.

AGREEABLY to the opinion of the Board of Revenue, recorded on the letter of the Acting Collector of Madura, the

Governor in Council is pleased to direct that the Zemindari of Ramnad, which has now devolved by inheritance to Bhaskaraswami Setupati, the eldest son of the late proprietor, and who is incapacitated by minority from taking charge of the said estate, shall be forthwith placed under the superintendence of the Court of Wards.

2. The Government await a supplementary report from the Court of Wards on the various points discussed by the Collector, on receipt of which all matters calling for professional advice will be referred for the opinion of Counsel.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Court of Wards.
 „ the Accountant-General.
 „ the Collector of Madura.

Exd. F. R. Bantleman.

No. 344.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th March 1873.

Read the following letter from W. McQUHAE, Esq., Acting Collector of Madura, to the Secretary to the Court of Wards, dated 4th March 1873, No. 62:—

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3. Immediately after the Zemindar's death quarrels commenced in the palace. The senior widow relying on a yadast, translation of which is Enclosure No. 2, declared herself Zemindari and appointed as her agent one Samy Cannoo Taver, who has been in jail for dacoity. I believe this yadast is not genuine and is of no legal effect. The Deputy Collector in charge of the Salt Department saw the Zemindar at half past 6 o'clock on the evening before his death, shortly before the last attack which rendered him unconscious. The Head Assistant Collector was at Ramnad, and the Special Assistant arrived before the Zemindar died, but none of these officers heard anything of this yadast at that time. Nagalingam Pillai, who was styled Private Secretary, and other persons who might be expected to know of it if it were the act of the Zemindar, are equally ignorant, and the signature appears to me materially different from the Zemindar's ordinary signature.

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Bo. of 1873
MADRAS.

REVENUE.

To

THE COURT OF WARDS,

Sec. Sec., &c.

Dated March 15th.

Recd.

Encl.

March 1873, No. 319.

MARCH.

Nos. 159-160.

Remitted Zemindari to Madura District.
—Its management by the Court of Wards sanctioned. Further report from the Court on the various points discussed by the Collector awaited.

15-10-89
29-2-90

6. The cash, jewels, etc., found by the Head Assistant Collector outside the Zenana are valued at Rupees 27,587. The camels, elephants, horses, and other unnecessary cattle should be sold as soon as possible.

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	RS.	A.	P.
Special Assistant Collector and tentage	1,087	8	0
His establishment	997	5	0
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A small temporary establishment is also employed to supervise the division of nunjah produce. The Court will observe from paragraph 64 of Mr. Bliss's first report that the reduction in cost is about Rupees 20,000, and the reduction in number has been very great.

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Total...	6,25,194
Payments made to plaintiffs (Creditors No. 3, 5C., and 5D.) in Original Suits Nos. 1 and 3 of 1872, on the file of the Civil Court.	1,37,065
Total...	7,62,259

As a set off against this the Special Assistant had a balance on that date of Rupees 1,43,944.

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As it is of the most urgent importance that the estate should be placed under the charge of the Court of Wards without delay, the Board resolve to submit this letter to Government for early orders, that the Collector may assume charge at once. The questions raised in the Collector's letter can be discussed afterwards.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Sub-Secretary.

To the Chief Secretary to Government, Public Department,
with seven original enclosures to be returned.
,, the Acting Collector of Madura.

Exd. J. Tulloch.

Revenue Department
Proceedings of the Court of Wards
dated 8th March 1873.

Read the following
No. 62.

From,
W. Mc Lachlan Esq.,
Ag. Collector,
Madura.

To,
J. Grose Esq.,
Secretary to the,
Court of Wards,
Madura.

Sir,

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2. The Zemindar has left five widows, two sons, and seven unmarried daughters whose names and ages are shown in enclosure no. 1. The eldest son named Baskara Swamy is 4 years and 4 months old, having been born on the 3rd November 1868. He is the son of the senior widow Muthatha Nachiar and will come of age on the 3rd November 1886. The Zemindari should be registered in his name.

3. Immediately after the Zemindar's death quarrels commenced in the Palace. The senior widow relying on a Yadast translation of which is enclosure no. 2, declared herself Zemindari and appointed as her Agent one Samy Ganesa Saver who has been in jail for dacoity. I believe this Yadast is not genuine.

These forgeries always crop up in such cases. But, suppose it genuine, it is void (a) because the law does not allow of a testamentary Manager. (b) because the same person can never be Guardian & Manager. (c) because a Woman cannot be Guardian to a Boy - and lastly, as he is a minor, he cannot appoint a testamentary Guardian, yet such app't must

Is confirmed by the 3rd of Nov - the date as the law is a boy, the work at the time

had a minority of 18 years & 8 months is before he is 18 years he is age of majority 18 years -

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from the Zamindar's ordinary signature.

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The charge of the Manager under section 12 Regulation 5 of 1804. This includes cowles granted to members of the Zamindar's family which must either be resumed or considered upon fixing the maintenance allowances and I have also to state my opinion that under proper management the income of these private lands will be much larger.

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The Camels, elephants, horses and other unnecessary cattle should be sold as soon as possible.

7. The cost of the existing Establishment is as follows:

Special Assistant Collector	1087-8
Percentage	1087-8
This Establishment	997-5
	2084-13

forward 2084-13-

Establishments of 8 Taluqs — 3518-8-
Monthly cost 5603-5-
Annual cost 67239-12-

A small temporary establishment is also employed to supervise the division of Kungah produce. The Court will observe from para 64 of Mr Bliss' first report that the reduction in cost is about Rupees 20,000 and the reduction in number has been very great.

8. It seems necessary that the Estate should be managed by a European Officer for some years at least and I presume the Special Assistant can be appointed Manager.

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Peshcush —	Rs 564,937
Interest —	77,441
Road cess —	32,081
	<hr/>
	674,459

On the 31st (December) last they were

Peshcush —	Rs 4,32,791
Interest —	1,07,720
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Road Cess —	47,694
	<hr/>
Total	6,25,194

Payments made to Plffs. (creditors Nos 350 & 50) in S. As	} 1,37,065
113 of 1872 on the file of the Civil Court	
Total	7,62,259

As a set off against this the Special Assistant had a balance on that date of Rs 1,43,944.

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as chargeable and Rs. 250,674 as
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Collector's Office } I have seen
Madras } Chas. W. McQuarrie
4 March 1873 } Acting Collector

As it is of the most urgent
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the Court of Wards without delay,
the Board resolve to submit this
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charge at once. The questions
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(Enclosure Subscribed)

H. H. Stokes

Acting Sub Secretary

To The Chief Secretary to Government
Public Department

with 7 original Enclosures to be returned

H. H. Stokes

Prosser & Co Sept

No 687.

Proceedings of the
Trust of Ward.

8th March 1873

Sept 28 " "

Edw. OGD + W. A. Williams
S.O. No 319-15th March 1873

Submitting for
early orders the
Recommendation
of the C^o of Ward
that the House
of the C^o of Ward
be placed under the
management of the
Trust of Ward.

No 159-160

March 173. R 15th March

List of the family of the late Zennadar of Ramnad.

Names	Age	Remarks
1 st Widow Anthuravay Kanchan alias Muthatha Kanchan Her son	27	Is able to read and write
Pacharasami Sethupathi His daughters	4	Born on the 3 rd November 1868
Sathumayil Kanchan	11	Is able to read & write. Born on the 9 th January 1862
2 nd Widow Kanyara Kanchan Her daughter	7	Is ———— 12 th November 1865
Velu Kanchan	8	Is able to read & write. Born on the 23 rd Oct 1864
3 rd Widow Subammal Her daughters	4	Is ———— 12 th November 1865
Sundara Kanchan	7	Is able to read and write. Born in 1868 at unknown age present.
Sigalatchy Kanchan	5	Born on the 7 th March 1868.
4 th Widow Kamammal	16	Is able to read and write. Sister of the 3 rd widow.
5 th Widow Rame Kanchan	17	Is ————
6 th Widow Doraya Kanchan Her son.	20	Is ————
7 th Widow Kanyara Kanchan Her daughter	1	Born on the 26 th April 1871.
8 th Widow Kanyara Kanchan Her daughter	3	Born on the 2 nd September 1874.
9 th Widow Kanyara Kanchan Her daughter	23	Is ————
10 th Widow Kanyara Kanchan Her daughter	2	Born on the 22 nd April 1870.

Collectors Office,
Madras,
2nd March 1878

Signed W. H. C. Pichai.

Ag. Collector

31-

No 319 335

Read Progs. - C.E. of Wards

No. 607 d/8-3-73

agently to the opinion of the
 Bd. of Revenue recorded on the
 letter of the AG Collr. of Madura,
 the L. inf. is pleased to direct
 that the Zamindari of Rammadai,
 which has now devolved by inheritance
 to Bhaskaraswami Setupathi,
 the eldest son of the late Profnetor,
 and who is incapacitated by minority
 from taking charge of the said Estate,
 shall be forthwith placed under
 the superintendence of the Court of
 Wards.

2. The Govt. await a supple-
 mentary report from the Court
 of Wards on the various points dis-
 -cussed by the Collr., on receipt of
 which all matters calling for
 professional advice will be referred
 for the opinion of Counsel.

A telegram was sent
 to the Collr. this morning
 by the mention of the
 the Collr. being informed
 of the same.

[Handwritten signature]

14. Court of Wards. Des 20 March 73
 Secy. General
 1 Collr. of Madura

15 March 1873

297

[Faint handwritten notes and signatures on the left page, including "The Court of Wards" and "Des 20 March 1873"]

