Read again G. O. dated 17th October 1872, No. 1,434.

No. 49. Read also the following Proceedings of the Board of Revenue, dated 1st April 1873, No. 490 :—

Read the following letter from A. MACGREGOR, Esq., Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 5th March 1873, No. 50 :—

I HAVE the honour to forward, for approval, two draft forms of Agreement which I propose to make use of in carrying out the mode of escheat settlement sanctioned by Government in their order of the 17th October 1872, No. 1,434.

2. The object is to draw them in such a way that the Jenm title of the land is to be transferred to the occupant on his executing the Agreement A; the title to be saddled by document B. with a primary mortgage debt of the amount of unpaid purchase-money, to bear interest at 5 per cent.

3. In cases where part of the purchase-money is not yet due, it is proposed to calculate the allowance that should be made on that account, and deduct it from the principal; thus, if 500 Rupees are still due in equal annual instalments, and if the amount is capitalized from the present date, there would be an excess payment of interest as follows:—

						RS.
For the instalment of 1874,	1	year's interest	...	...	...	5
,, ,, of 1875,	2	years	,,	...	...	10
,, ,, of 1876,	3	,,	,,	...	...	15
,, ,, of 1877,	4	,,	,,	...	...	20
,, ,, of 1878,	5	,,	,,	...	...	25
						75

so 75 Rupees would be deducted from the mortgage debt.

4. As the transaction is rather complicated, it seems desirable that the draft forms should be submitted to the legal advisers of Government.

ENCLOSURES Nos. 1 and 2.—Forms of Agreements.

SUBMITTED to Government, with reference to G. O. dated 17th October 1872, No. 1,434.

2. The Board are of opinion that the Government Solicitor should be consulted as to the form which the transaction should take.

No. 50. ORDER THEREON, 12th May 1873, No. 463.

Land Revenue.

GOVERNMENT having acquired in certain lands in Malabar and Cochin the proprietary right locally known as "Jenmum," it has been customary to value and sell it; the occupants having a right of pre-emption and paying the money by instalments.

2. In substitution of this mode of settlement, Government, in their order No. 1,434, dated the 17th October 1872, determined to offer the holders of such lands the option either of buying the jenmum outright or of paying, with the annual assessment, a sum equivalent to 5 per cent. per annum on the capital sum, with the power of redeeming this at twenty years' purchase.

3. The Board of Revenue now submit a letter from the Collector of Malabar, proposing to carry out this new settlement by transferring the proprietary right by one document at the same time as the transferree executes another, by which he, first, mortgages the land as security for the purchase-money; secondly, consents to pay interest at 5 per cent. per annum on the outstanding balance; thirdly, agrees that such interest shall be recoverable under the rules regulating the recovery of arrears of revenue.

4. The Government resolve to forward the Collector's proposition to the Government Solicitor, who will be good enough to obtain the opinion of the Advocate-General on its practicability, and to make any suggestions that officer may think proper. The object the Government have in view is, while giving to the holder the option of purchasing the jenmum, to secure, without having recourse to litigation, the punctual payment of interest on the purchase-money while unpaid.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

No. 490.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st April 1873.

Read the following letter from A. MACGREGOR, Esq., Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 5th March 1873, No. 50:—

I HAVE the honour to forward, for approval, two draft forms of Agreement which I propose to make use of in carrying out the mode of escheat settlement sanctioned by Government in their order of the 17th October 1872, No. 1,434.

2. The object is to draw them in such a way that the Jenm title of the land is to be transferred to the occupant on his executing the Agreement A; the title to be saddled by document B. with a primary mortgage debt of the amount of unpaid purchase-money, to bear interest at 5 per cent.

3. In cases where part of the purchase-money is not yet due, it is proposed to calculate the allowance that should be made on that account, and deduct it from the principal: thus, if 500 Rupees are still due in equal annual instalments, and if the amount is capitalized from the present date, there would be an excess payment of interest as follows:—

			RS.
For the instalment of 1874,	1 year's interest	... ...	5
,, ,, of 1875,	2 years' ,,	... ...	10
,, ,, of 1876,	3 ,, ,,	... ...	15
,, ,, of 1877,	4 ,, ,,	... ...	20
,, ,, of 1878,	5 ,, ,,	... ...	25
			75

so 75 Rupees would be deducted from the mortgage debt.

4. As the transaction is rather complicated, it seems desirable that the draft forms should be submitted to the legal advisers of Government.

ENCLOSURES Nos. 1 and 2.—Forms of Agreements.

SUBMITTED to Government, with reference to G. O. dated 17th October 1872, No. 1,434.

2. The Board are of opinion that the Government Solicitor should be consulted as to the form which the transaction should take.

(A true Copy and Extract.)

J Grle

Secretary.

To the Secretary to Government, Revenue Department, with 2 original enclosures to be returned.
Copy to the Collector of Malabar.

Fxd. F. R. Bantleman.

Revenue 1873. Oct.

Board of Revenue,

MADRAS.

P. 986.

PROCEEDINGS, 1ST APRIL 1873, No. 490.

Dep.t 4 Apl 73

Encl. 2

Send to Poddalcota

P Cons 460 - 12 May 1873

Received 5th Apl

MARCH.

No. 490.

Agreements—to be made use of in carrying out escheat settlement in Malabar District.—Letter from Collector forwarding, for approval, draft forms of—submitted to Government, and opinion expressed that Government Solicitor should be consulted in the matter.

Revenue Department.

No. 463.

PROCEEDINGS** of the **MADRAS GOVERNMENT.

Under date the 12 May 1873.

Read ~~the following~~ again Proceedings of the Board of Revenue recorded in G.O. dated 17 October 1872 No. 1434.

Read also the following Proceedings of the Board of Revenue.

Submitting to Govt. letter from Collector forwarding for approval draft form of Agreements to be made use of in carrying out resettlement in Malabar Dist. and opinion expressed that Govt. Solicitor should be consulted in the matter } H.S. 1st April 1873. No. 490

Adv

Government having acquired in certain lands in Malabar and Cochin the proprietary right locally known as Jenmom it has been

customary to value and sell it to the occupants having a right of pre-emption and paying the money by instalments.

2. In substitution of this mode of settlement Government in their order No. 1434 dated the 17 October 1872 determined to offer the holders of such lands the option either of buying the Jenmum outright or of paying with the Annual assessment a sum equivalent to 5 percent per Annum on the capital sum with the power of redeeming this at 20 years' purchase.

3. The Board of Revenue now submit a letter

from the Collector of Malabar proposing to carry out this new settlement by transferring the proprietary rights by one document at the same time as the transferee executes another, by which he 1st mortgages the land as security for the purchase money

2dly consents to pay interest at 5 percent per Annum on the outstanding balance:

3dly Agrees that such interest shall be recoverable under the rules regulating the recovery of arrears of Revenue.

The Collector's

proposition is forwarded
to the Govt Solicitor
who will be good enough
to give his opinion on its
practicability and make
any suggestions he
may think proper.
The object the Government
have in view is, while
giving to the Holder the
option of purchasing
the Annuity, to secure
without having recourse
to litigation, the punctual
payment of interest on
the purchase money
while unpaid.

Sat

14 To the Board of Revenue Dublin
4 " the Post Solicitor

61

30.8.04

Vep° 3894/73 1p 1426 16-12-73

Gobt. of {1873} Madra

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated May 12th.

Recd. 1873.

G. O., 12th May 1873, No. 463.

MAY.

Nos. 49-50.

Settlement of Escheat Property in Malat District.—Agreements to be made use of carrying it out, forwarded to the Governm Solicitor for the opinion and suggestion of Advocate-General.

3 Ft.

Agreement to be used in carrying out Easements in Wallingford

Exhibit