M.R.O. 1—20,002—12-8-65.

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# MADRAS RECORD OFFICE

## GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 199 Press
B.P. No. Mis.

Dated 29. 5. 1874 ~~196~~ .

*Not to be folded or roughly handled*

Revenue Department

No 147

Extract from the Proceedings of the Commissioner for the Northern Circars dated Vizagapatam 5th April 1853.

Read the following Extract Minutes consultation dated 18th March 1853

(Here enter No 308)

Read again the following letter from the Collector of Ganjam dated 10th November 1851 ⊗

Dse Ct Appointments letter 1st November 1851 No 183.

Read also the following letter from the same Officer dated 31st December 1851 ×

× See Do Do 6th December 1851 No 211 & Do 24th Do Do No 225

(Here enter No 163)

Read also the following letter from Do dated 25th June 1852 ×

← Do Do 24th June 1852 No 150.

(Here enter No 100)

Para 1. Resolved that a copy of the foregoing orders of Government with the Commissioners letter of 12th February to which they refer, be forwarded to the Collector of Ganjam

The

2 The Right Honorable the Governor in council having been pleased to confirm the sale of the Notary Estate for Rs 38600 Mr Onslow will proceed to give effect to the following arrangements accordingly.

3. The demand against the late proprietor Moonlawdy Ramiah is to be calculated according to the statement in para 5 of the Commissioners letter at Rs 36424-6-6 together with Rs 6110-10-5 the interest conditionally relinquished on amount of balances antecedent to 1263 Fasly making a total Rupees 44534-10-11 but he is to be informed that the Government are still prepared to forego the full amount of their claims on his complying with the following terms viz. The public demand will be confined to the arrears accruing subsequent to 1254 Fasly together with

with the interest on those of 1260 Fasly and attachment charges as below

Balance of permanent demand
for 1254 Fasly Rs 4646-11-10
1259 " 1387-4-1

Balance 1260 Fasly 19879-12-6
Interest on Do - 4407-14-3 24287-10-9
36331-0-8

Attachment charges 147-99
36479-4-5

This amount deducted from
Sale proceeds and the sum standing in the accounts to the Proprietors credit will have a clear surplus which will be paid over to him on his executing a full and complete renunciation of all demands against his late pyots on account of balances or other revenue claims.

4. The separate sales of the arrears reported in the Collectors letter of the 27th December and the 12th February last having been cancelled the inconvenience that

Rs as
Sale proceeds 38600-
Indisputed 336-8-1
38946-8-1
36479-4-5
2467-3-8

that might arise from the retention of such claims will be obviated under the foregoing arrangement.

5. In forwarding the document to be taken from Mr Ramsay, the Collector should submit accounts of all arrears outstanding in the Estate distinguishing such as appear to be irrecoverable, and obtain authority for writing the latter off the Books of the District.

6. The sum of Rupees 5790 lodged by the late purchasers of the Estate as security for completing the sale, having become forfeit under the provisions of section XII Regulation XXV of 1802, the Collector will inform them, or their survivors that the Government have been pleased to forgo their right to retain the money which will be repaid to them on their relinquishing all

all claims against the proprietors during the time that the Estate or any part of it was under their management or control. On the fulfilment of this condition, the Collector will effect a statement of the arrears outstanding in the Putchumiporam Hoondah and will relieve the proprietors from all further responsibility on account of any part of those still due, which formed the subject of his report on petition No. 2542 of 1837.

7. The liabilities of Wyasolah Balavirrianah who became security for the performance of the stipulations concluded with the ex-proprietors under date 30th July 1850 have ceased with the sale of the Estate.

8. The project for the improvements proposed by the Principal Assistant

in

in the progation of Parliament will
now be prosecuted in the public
Charge in the usual manner.

Ordered that the following
Endorsement be passed on petition
No. 2542 of 1851.

Petitioners are referred to
the Collector who has received
instructions on the subject of their
representations.

True Extract
(Signed) Walter Elliot
Commissioners

(True Copy)
(Signed) A. D. Nelson
Collector

(True Copy)
(Signed) W. J. Graham
Ag. Pr. Cl. Collectors

Revenue Department

No. 14

Extract from the Proceedings of the Commissioner for the Northern Circars
dated Vizagapatam 5th April 1853.

Read the following

No. 308

Extract from the Minutes of Consultation under date the 18th March 1853.

Read the following Letter

No. 20.

From Walter Elliot Esquire
Commissioner for the Northern Circars
To
Sir H. C. Montgomery Bart
Chief Secretary to Government

Sir,

Para 1 I have the honor to submit
the accompanying letters from the
Collector of Ganjam reporting the
resale of the Pollachy Estate on the 23d
December last and its purchase on
behalf of Government for Rs 38600

The

2. The orders of Government confirming the purchase by Yadanaporay Prabasarow and brother on the 12th July 1851 as conveyed in Extract Minutes Consultation 21st September last were communicated to the Collector under date 4th October following. On the 1st November the Collector submitted a request from the purchasers dated 25th October for a month's delay to pay the money which was granted. The Collector reports on the 29th November that they had failed in their engagement and requested sanction to proceeding to the sale of the Estate at Thingo under section XIII Regulation XXVI 1802 which was held before the Principal Assistant on the 23rd December with the result reported above.

3. In his letter of the 2nd instant the Collector proposes certain questions connected with the appointment of the sale account.

4. The amount of arrears entered in the advertisement of the 12th July 1851 was Rupees 32671-13-6 the sale proceeds were Rupees 34600 but no settlement took place at the time in consequence of the Ex proprietors complaints against the Collectors proceedings the difference between the former sum and that bid on the last occasion (or Rupees 38600) is Rupees 5928-2-6. But from this it seems proper to deduct the interest which has accrued subsequent to the date of the former advertisement. The Estate still stands in the name of the original proprietor, & Sum under Section XIII Regulation XXVI 1802 belongs the surplus derived from the resale, his responsibility for the revenue only ceases when the property has been finally

finally conveyed to the new purchaser and the delay in closing the accounts after the sale of July 1851 was occasioned by him. The demand [illegible] thereby augmented to Rupees 36479-4-5 bearing a surplus payable to him of Rupees 2467-3-8 according to the adjustment contained in the enclosure to Mr. Bidwell's letter of which the following is an abstract.

| Finely | Principal Balance | | | Interest | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| | Rs. | as. | p. | Rs. | as. | p. | Rs. | as. | p. |
| 1254 | 4646 | 11 | 10 | . | . | . | 4646 | 11 | 10 |
| 1259 | 7307 | 4 | 1 | . | . | . | 7307 | 4 | 1 |
| 1260 | 19879 | 12 | 6 | 4417 | 14 | 3 | 24297 | 10 | 9 |
| | 31833 | 10 | 8 | 4417 | 14 | 3 | 36331 | 10 | 8 |
| Finely charges up to the 11th July 1851 | 4913 | 12 | 5 | 4417 | 14 | 3 | 147 | 9 | 9 |
| | | | | | | | 36479 | 4 | 5 |

5. Mr. Pinlow omits to notice that an intimation was inserted in the advertisement of the forthcoming sale for the arrears of 1254 Fasly and

and 1259 Fasly. This would amount accordingly to the statement in the marg in of his letter to Rupees 3462-10-10 and he requests to know whether it should be demanded now. There is nothing in Regulation XXVII 1802 that requires the full demand to be stated in the sale advertisement, but it is usual to do so and as the item referred to is for interest only, I do not recommend that the omission should be rectified now. The mode in which the sum above mentioned has been calculated is not stated. It corresponds to a period of 2 years 4 months and 23 days and would thus apply to the time between the 1st August 1850 and 23rd December 1852 or from the close of 1259 Fasly to the date of resale. Had the amount been reckoned from the close of 1260 Fasly it would have been more intelligible for it might have been argued that although not charged for

for the period between the origin of the balance and the former sale in the advertisement it might now be demanded for the time which had elapsed subsequent to the latter event calculated on this principle the amount of arrears would be as follows.

| | Balance up to 1st July 1851 as inserted in the advertisement | | | Balance up to the day & date on the 12th July 1851 | | | Interest for period subsequent to 1st July 1851 & prior to 12th July 1851 | Total of Columns 7 and 8 |
|---|---|---|---|---|---|---|---|---|
| July | Principal | Interest | Total | Principal | Interest | Total | | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| | Rs. as. p. | Rs. as. p. | Rs. as. p. | Rs. as. p. | Rs. as. p. | Rs. as. p. | Rs. as. p. | Rs. as. p. |
| 1254 | 4646 11 10 | . . . | 4646 11 10 | 4646 11 10 | . . . | 4646 11 10 | 807 15 . | 5454 10 10 |
| 1259 | 738 7 4 1 | . . . | 738 7 4 1 | 738 7 4 1 | . . . | 738 7 4 1 | 124 6 10 | 862 14 11 |
| 1260 | 20150 9 3 | 4807 4 4 | 20637 13 7 | 24957 12 6 | 961 5 11 | 25918 2 5 | 3456 8 4 | 29374 10 9 |
| Total | 32 18 4 | 9 2 487 | 4 4 32674 | 13 6 31913 12 5 | 961 5 11 | 32875 2 4 | 5348 14 2 | 38224 . 6 |

There is a further claim on account of interest accruing on arrears previous to 1253 Fasly for which the Estate was brought to sale in 1844 and which was remitted by Government to the extent of Rs 6110-10-6 but this act of grace appears to have been conditional on the proprietors fulfilling

Dr. Bro. to Board 5th July 1849 No 8. from Government 31st Dec. 97

fulfilling the stipulations on which the Estate was restored when that sale was annulled M Ramiah however not only failed wholly in his engagements on that occasion but also in those subsequently proposed for his benefit in 1850. He has thus proved himself undeserving of the consideration shewn to him and forfeited his claim to the indulgence. I consider therefore that it rests with Government to absolve him finally from this liability or not as they may see fit.

6 In consequence of general instructions from this office to include balances due by ryots to former proprietors among the assets to be sold when Estates were put up for arrears of revenue the Principal Assistant caused those of Polavy to be offered separately on the 23d December and bought the

in for Rupees 200. Thus was irregular
under the circumstances the sale of an
estate at the price of the first purchaser
could only take place according to the
terms of the first advertisement in which
a minimum price was fixed. By a mistake
in the Collectors Office, the balances
due in the Collectorate on 7th January 1853 from Collector
of Tenths 1259 and 60 only were put up
for part of the sale therefore should be can-
-celled

7. With reference to the circumstances
above stated and the opinion formerly
expressed in my letter No 62 of 22d July 1851 Para 4
I beg to recommend that the sale with the
preceding exception be confirmed and
the purchase of the Estate on behalf of
Government approved. Further that the
Ex proprietor Mr Ramiah should be
relieved from all former demands exist-
-ing against him and should be received
to complete which would then be available
to the purchaser Rs 2121 on his petitioning his
claim to the collection of former arrears due by the
Estate to the amount of those according to

| | Rs |
|---|---|
| Jumah | 38600 |
| Demand | 36479 |
| | 2121 |

| | Rs |
|---|---|
| 1257 | 2832 |
| 1255 | 3999 |
| " 1256 | 4787 |
| " 1257 | 9817 |
| " 1258 | 9223 |
| " 1259 | 6590 |
| | 37198. |

12/6

accounts in this Office as shewn in the
margin.

8. There remains for consideration the
sum of Rs 5790 deposited by the late
purchaser when the Estate was knocked
down to them in July 1857 and which
under Section XII Regulation XXVII 1802 is
liable to forfeiture thro' their failure
to complete the purchase. The public
demand having been fully satisfied
by the proceeds of the resale, I beg to recom-
-mend that it be restored to them on
their agreeing to forgo all claims they
may have against the ryots during
the period of their possession of the
mootah.

9. I take this opportunity of re-
-porting on petition No 38 of 1853 received
on the 8th instant: most of Petitioner's
statements have been sufficiently ex-
-plained by the terms of the preceding
paras. It only remains to notice his
assertions

assertions regarding the interference
of the servants of the Principal Assistant
Collector & Office and his alleged tender
of the purchase money on the 23d December
last the day of the sale.

10. As regards the first point he appeared
at my Office on the 21st December and
presented two petitions, in the first
of which he stated that he was prepared
to pay the purchase money into the
Treasury of the Collector of Tuticorin
and requesting that orders might there-
upon be transmitted to Ganjam to
Register the Estate in his name and
afterwards to transfer it to that Goday
Narain Rao. In the second he accused
the Principal Assistant Collector
& Contractor and an Amin of the Vizia-
gram Zamindary of having prevented
him from procuring funds at Chicacole
and repeated his offer of the money thro
G. Narain Row on the terms above stated.
The latter addressed (No. 1308) was imme-
diately sent to P.W. Nicol for enquiry
and certain witnesses named by Petition-
er as present in this place were examined
on the following morning, but they denied
all knowledge of the circumstances re-
ferred to and the whole story was found
to be destitute of foundation. On the same
day 22d December
Petition No. 1307 was
returned with an
endorsement copy
which is given in the
margin and shortly
afterwards a commu-
nication was received
from G. Narain Rao
himself (copy of which
is enclosed) modifying
his first offers so far

"The proposal now submitted by Petitioner can
only be understood as requesting the Com-
missioner to sanction a private transfer
to G. Narain Rao of the Palaty Estate,
the sale of which by public auction un-
der section 13 Registration XXV 1802 has been ordered
to take place on the 23d instant the Com-
missioner has no power under the Regula-
tion to authorize a proceeding of this nature
and he must therefore decline to interfere in
the matter.
22d December 1852. Signed Walter Elliot
Commissioner

as to require not the absolute transfer of the
Estate, but only that he should be secured
in

in possession until he recovered the sum advanced according to conditions not specified / concluding between himself and the Petitioner. Apply was sent declining interference. On the 23d the day of sale the petitioner attended the saying office and stated verbally that he still hoped to procure the money but none had appeared up to the time of leaving office at 6 Oclock P.M. But two or three hours afterwards a message was received from him at my own house to say that Narrain Rao had furnished him with funds, next day Petitioner again attended but declined to receive any further representation on the subject as the sale must have been completed, which in fact, it was afterwards reported to have been accordingly to the terms of the advertisement.

It is clear that Petitioner had no funds of his own wherewith to discharge the purchase money nor any credit to obtain them elsewhere. The period between the communication of orders for confirming the former purchase and the sale was more than double the time requested by him to procure the required amount and it is evident from what has transpired since that, he could only have procured it by the transfer of his proprietory right. No one would trust his promise to the effect, unless guaranteed by the Officers of Government, a similar offer from another person having been rejected previously by the Collector although G. Narrain Rao appears eventually to have consented to make an advance, but too late to avert the sale.

Collectors Endorsement dated 9th December 1852 on Petitioner No. 316 being an enclosure in Petition No 1300 of 1852

The purchase money could only be legally

legally tendered at the District Treasury and its receipt here was an act of favor which I was prepared to accord, if it had been delivered before the conclusion of the sale. But I cannot recommend any further concession now. Petitioner has acted throughout as the Agent of others. The attention which has been drawn to the circumstances of the Estate since 1846/7 and the stringent Orders recorded in para 3. Extract Minutes Consultation No 933 dated 21st September 1852 have rendered it hazardous to persevere in the same policy and the Petitioner has consequently been left with the unconpleted purchase on his hands. The recovery of the deposit money is an object of importance, which

which made it worth his while to get the purchase completed and if it is now relinquished he will probably be no loser.

12. Soon after the despatch of his address to Government, Petitioner was murdered by a person in whose house he was residing, at a village in the Vizianagram Zemindary having been discovered in an intrigue with his wife. He leaves a minor son under charge of his brother who was associated with him in the Polavy affairs.

13. Petitioner's 38 of 1853 is herewith returned

Vizagapatam Commissioners Office 12th February 1853

(Signed) Walter Elliot Commissioner

Para 1. With the exception of that part of the sale described in para 6 of

The

the Commissioner's Letter which is hereby cancelled, the Right Honorable the Governor in Council confirms the purchase on account of Government of Polavoy Estate in Ganjam for the sum of Rs (38600) Thirty-Eight thousand six hundred and sanctions the arrangement with M. Ramiah recommended by the Commission in para 7 and the payment to him on the conditions specified of Rs 2120-11-7 being the difference between the sale proceeds of the Estate and the Public demand against him. It would seem however from the statement appended to the Agents letter of the 2nd February 1853 and from para 2 of that letter that there are former collections on deposit at the credit of the proprietor amounting to Rupees 346-8-1 This sum also will be repaid

Pymts Rs 38600-0
Public Demand 36479-4-
2120-11-7

Rs. A. P
2120-11-7
346-8-1
2467-3-8

repaid him if there be no objection and the whole amount Rupees be disbursed will then be Rupees 2467-3-8.

2. Under the circumstances represented by the Commissioner in para 8 the Government will not object to the sum of Rs 5190 deposited by E. Pracasa Rao being made over by his heir on his executing a formal document relinquishing all claims against the Govt during the period of that individuals former possession of the Estate.

3 E Pracasa Row having since been murdered, his petition No 32/122 of 1853 is ordered to be lodged in the Petition Office

/A true Extract/
/Signed/ J. Pycroft
Secretary to Government

/True Copy/
Signed Walker Elliot
Commissioner

/True Copy/
Signed/ A.P. Onslow
Collector

/True Copy/ Signed/ W.F. Grahame
Ag. P. A. Collector

No 62.

To

James Stuart Esquire

Acting Principal Assistant Collector

Chicacole

Sir

With reference to the several letters × Dated 16th November 1854 No 183. Dated 6th December 1854 No 210. Dated 26th December 1854 No 225. Dated 24th June 1855 No 150.

from your Office I have the honor to forward the correspondence noted in the margin on the subject of the Polaky Estate and I request that you will be good enough to give effect to the Commissioner's instructions therein communicated.

2. You will perceive that the sum of Rupees 2467-3-8 is to be paid to the late proprietor on his executing the usual deed of transfer and a full and complete renunciation of all demands on account of balances and other pecuniary claims

You

Rs. Pro. Comm.r No 47 dated 25th April 1855

Pro. Cons. 18th March 1853 No 956

3. You will also perceive that the sum of Rs 5190 deposited by the Yeddanapoody Sowcars as security for completing their purchase of Polaky is to be refunded to the surviving partner on the execution of a document relinquishing all claims or account of revenue against Polaky and Lutchmipoor and Lutchmipoor-am-

4. Form in which the agreement should be taken is herewith transmitted.

5. Having procured the execution of these documents you will be good enough to furnish a statement of all balances against the ryots and others of Polaky and Lutchmipoor and Lutchmipoor-am distinguishing the recoverable and the irrecoverable.

6. You will be pleased to abolish

the

The present Zilla Establishment
and substitute that ordered in the
margin for the present, placing
Pleasly under the Tahsildar of Wada-
dali and informing me of the date on which
the change takes place.

2. You will be good enough to place
yourself in communication with the
Civil Engineer on the subject alluded
to in para 8 Commissioners proceedings
& the petition No. 2542/1851 is forwarded
for delivery. You will be good enough
to issue the necessary instructions
to the petitioners.

1 Carcoon Rs 12—
5 Peons @ Rs 3 each 15—
Sawar 2—
29

Gunjam Bitul
Collector Collectory
Chittapore 16th April 1853

I have &c
(signed) A. D. Carlon
Collector

I have &c
(signed) W. D. Graham
Asst Collector

Sd/
W. Shuter
Mr Clerk
[illegible]
[illegible]

I have &c
(signed) [illegible]
Acting Principal Assistant Collector
[illegible] Sawyers

Enclosure in a letter
from the Asst. Assistant
Assistant Collector to
the Collector of Ganjam
dated 12th November 1873
No. 354.

Copies of former
Correspondence relating
to Dantu, Polasa &
La Kamiparum Estates

Commissioner's Office
Vizagapatam
18th December 1852

No. 649

From
Walter Elliot Esqre
Commissioner for the Northern Circars

To
A. P. Phillips Esqre
Collector of Ganjam

Sir,

Para 1. On referring to the advertisement of the sale of Palasa, the publication of which in this Office was communicated in my proceedings of yesterdays date, it does not appear that any demand has been made on account of the interest accruing since the date of the last sale.

2. It would appear proper to include this in the amount for which the property is now to be sold. The Estate still stands in the name of the original proprietor Mr. Ramiah. It has run under section XIII Regulation

Regulation XXVI 1802 will be paid any difference or increase accruing on the second sale and his responsibility for the revenue only cease when the sale shall have been completed and the Estate shall be fully and completely conveyed to the new purchaser. Under these circumstances the undersigned should be charged with the subsequent interest which has accrued up to the present time thro' his endeavours to prevent the confirmation of the sale but for which the second sale would have proceeded on the terms of the advertisement immediately on the failure of payment within one month of the day of sale. The responsibility of the late purchasers however will be limited to their interest in the former sale.

3 On a more careful examination of

of the orders of Government of 31st July 1849 I find it would appear that the permission of interest on the balance due on the 1st Kists and Dowla Estates for the years from 1249 to 1253 Fasleen was conditional on the fulfilment of the stipulated conditions under which Mr Ramsay was placed in possession and I am of opinion that it might with propriety have been included in the advertisement of the 12th July 1851 but as it was omitted on that occasion it is unnecessary to add it now.

4. The amount of interest for the last 17 months from the date of the last sale to the 23rd December appears to be Rupees 3456-8-4. I have to request you will be good enough to review the calculations according to the data in your office with a view to the subsequent adjustment of the demand

meantime

Meantime an additional clause has been added to the advertisement that the proprietor will be held responsible for the interest which has accrued subsequent to the last sale.

Commissioners Office
Vizagapatam
18th December 1852

Name illegible
Signed/ Walter Elliot
Commissioner

/True Copy/
Signed/ A.P. Onslow
Collector

Rec. 14/4/16
Rec. No. 199 of 29th
May 1874

/True Copy/
Signed/ W.J. Grahame
Ag 1st Asst Collector

/True Copy of a Copy/

Acting 1st Asst Collector
in charge of Gunjam

Copied by
[illegible]
Collector

No. 1497/11

No. 354

Principal Assistant Collector's
Office Chicacole 12th November
1873

From
W.J. Grahame Esquire
Ag Principal Assistant Collector

To
C.C. Master Esquire
Collector
Ganjam District

Sir,

I have the honor to report for
letters to Government No. 2243 of 1872
and 880 of 1873 received with your letter
No. 1519 dated 11th July 1873 and also on
petition to Government No. 572 of 1872
received with your Endorsement No. 2236
dated 14th December 1872.

2. Mallikarjuna Ramayya Pantulu
late Proprietor of Calavie Dandu and
Lateh misfortune sent through his Vakil
Bojuluji Gopalrow a Telugu petition
to Government complaining that his
Estate had been during his minority sold
for arrears of Peshcush in contravention
of

* 13th February 1855

of existing Regulations and praying for the restoration of the Estate to him on condition of his discharging the arrears within five years after the Estate came into his possession. His petition was rejected by Government with an endorsement that they would not receive petitions through Vakils.

* No 579 dated 15th May 1855

After that Ramayya Pantulu sent an English petition to the Madras Government inclosing a memorial addressed to the Secretary of State for India and praying that the petition might be sent up to the Secretary of State & the Madras Government would take no action in the matter.

On 16th November 1872 Ramayya Pantulu sent another petition praying for an early disposal of his former petition. On March 1873, he sent another petition, printed, explaining the details of his case more fully than in the former petitions. All these papers were

with their enclosures have been received in this Office as stated in para 1

2. Petitioner states that in 1843 his father died while in possession of the Palakole, Dantapuram Estates that petitioner was then a minor 15 years old that his father's manager Gidda Surya Narayana induced his father when on a pilgrimage to state by witness to mislead the Collector about the petitioners age and to state that petitioner had attained his majority that the Collector late Shrista dar Sesarla Venkatarow whose a friend and fellow conspirator of Surya Narayana concealed the truth from the Collector but the Court of Wards should take up the Management of the Estates, that at the instance of Surya Narayana who wished to acquire petitioners father's Estate

Estate, Vonk Mathew caused the said Estates to be brought to sale for arrears of Peish Cash due on them, that Sinya-
-pratkasaram eventually purchased the Estates paying at once the whole amount for which the Estates were sold down Rs 49500 instead of paying only 15 per cent as security that the Collector Shenstadar managed to make over the Estates immediately to Sinyapratkasaram instead of retaining till the Revenue Board should have confirmed the sale, that petitioner's mother having in vain contested with the Collector the validity of the sale, produced petitioner before the members of the Board of Re-
-venue whereafter personally inspecting petitioner cancelled the sale on the ground that petitioner was a minor and ordered the refund of the purchase money to Sinyapratkasaram and further directed that the Estate should be managed by the Collector acting for the

for the County of Wards, that Sinya-
-pratkasaram did not procure his money back as ordered by the Board of Re-
-venue that the Collector owing to his influence did not pay back the money to Sinyapratkasaram without objection to bring the Estates to a second sale, that though petitioner attained his majority in 1846, the Estates were not made over to him till the middle of 1850, that immediately after-
-wards the Collector Shenstadar and Sinyapratkasaram continued to bring the Estates to a second sale in satisfaction of a trifling amount of Peish Cash which fell due when the Estates were under the Collectorate manage-
-ment and of Rs 27027 interest payable to Sinyapratkasaram on the purchase money paid by him in 1844 and by no fault of petitioner not refunded to him by the Collector until 1849 or thereabouts, that petitioner objected to the payment of the interest and empowered a Vakil to

appear

appear on petitioner's behalf before
Mr now Sir Walter Elliot then
Commissioner of Northern Circars,
that under Mr Elliots threats the Vakil
seems to have signed an agreement
binding petitioner to pay the interest
and the balance then ascertained to
be due to the purchasers, that when peti-
-tioner was trying to borrow money to pay
the illegal demand thus made on him,
the Collector issued a notice to the effect
that no one should lend money to peti-
-tioner, that the Estates on a second sale
were again knocked down to the said
Swipathi Nadaroo and as he failed to
pay the purchase money were put to
sale brought by the Collector on behalf
of Government in satisfaction of a sup-
-posed arrear of Rs 38000 and odd, that
petitioner has been complaining to the
Madras Government since February
1855, that the time which has elapsed
between that date and the date of pe-
-tioner petition should not be held to

to affect his claim, that the Collector of
Ganjam had no business to issue orders
to the annexed documents marked
A to D.

A. That petitioner should not
collect the arrears of rent due to him
by the Ryots for the time when the Estate
was under him.

B That no body should lend money
to petitioner.

C. That unless petitioner gave up his
claim to rent due by the Ryots the surplus
sale proceeds viz Rs 2647-3-7 would not be
given him and that certain money
which had been formerly permitted to
petitioner along with other Zemindars
would be again collected from him.

D Compelling petitioner to present an
agreement to the effect that he would not
claim the Estates thus sold by auction.

And that under these circumstances
the Estate of Palakly which was bought
by Government should be restored to Peti-
-tioner.

4 Mar

4. There is nothing in my records to show exactly when Petitioner's father died how old petitioner was then or who continued to bring petitioners Estates to sale Petitioners father seems to have owned the undermentioned three Estates when he died.

1 Palakii
2 Lakshmipuram
3 Danta

5 On 26 November 1844 the then Collector wrote a Telugu letter to the Principal Assistant Collector directing the latter to attach the three Estates for arrears of Peishcush outstanding against them. Immediately on the receipt of the letter, the Principal Assistant Collector attached the Estates × on 30 November 1844 made a reference to the Collector enquiring what was the amount of arrears due

× Letter dt 30

6 In his letter of 3rd December 1844 the Collector gave the following information -

| | | |
|---|---|---|
| Arrears of Peishcush and interest up to the end of October 1844 due on Palakii Estate | 43.199 | 2 | 9 |
| Do Do Do on the Lakshmipuram Estate | 9.490 | 3 | 4 |
| Do Do Do on the Danta Estate | 7.814 | 1 | 2 |
| | 60.503 | 7 | 3 |

7 On 10th January 1845 the Collector again wrote to the Principal Assistant Collector informing the latter that Yeddanapudi Suryaprakasarow and Anantaramayya had purchased the Estates at a public sale and had paid some money as security and that he had permitted the purchasers to employ a Gumasta to prepare another set of the demand

and

and the Collection Statements with the managers attached relates. Petitioner's assertion that Suryaprakasayya and Anandapammayya the managers paid the whole of the purchase money at once instead of paying only 15 per cent of it is scarcely sufficient to be entered upon the belief that we are bound to believe the above mentioned order of the Collector in preference to an unsupported statement made by petitioner.

2. My records do not show on what date the sale took place in the Collectors Office or for what amount the Estates were knocked down.

3. On the 23rd April 1845, the Principal Assistant Collector directed the Tahsildar manager Basiyya Muchinamant manager of the Estates with (name) to deliver over the Estates to the

the part proprietor to Goddanapudi Sivaprakasayya and Anandapammayya who had purchased the Estates at public sale. The Collectors Order directing the Principal Assistant Collector to make over the Estates to the purchasers is not forthcoming in my records. Petitioner states that the Collector had not obtained the Revenue Boards sanction before ordering the Estates to be handed over to the purchasers. My records do not show whether this statement is true or not.

10. The subsequent correspondence preserved in my office records shows that the Estates of Palakee and Dantaluru were restored to petitioner some time between 1846 and 1850, but I can find nothing to show the day, month or even year, in which, or the reasons

for which the Estates were so restored.
Further I can find nothing in
my records to show whether the Court
of Wards ever managed the Estates
on behalf of petitioner as he has
stated. The management of
these estates seems to have been
taken in hand by the Collectors
himself about the year 1846
and therefore my records do not
shew what took place then about
the Estates.

11. Petitioner asserts that although
he attained his majority in Novem-
ber 1846 the Estates were not made
over to him till the middle of 1850.
I enclose herewith a Minute dated
Nov in an official Minute dated
2nd May 1850 from the Commissio-
ner of the Northern Circars to a
former Principal Assistant Collector

petitioner

petitioner is called "Minor Pro-
prietor," and from this memo it
would appear that in May 1850
petitioner was still a minor. In
the memo Mr Elliot directed the
Principal Assistant Collector to
send him Goddanapudi Sunja-
-pratlas show and Anantara-
-mayya on one side and Ramayya
the petitioner on the other that the
disputes between them might be
settled. The correspondence no
extant in my office does not any
where state the nature of those dis-
-putes or their issue, nor does it show
whether or not the disputes were
settled or what was the result of
the parties appearing before Mr Elliot

12 On 17th May 1850 the Principal
Assistant Collector wrote to the
Commissioner to say that the above
named 3 men had already proceeded

to

to the Commissioners Office at Vi-
-zagapatam.

13. From two extracts from Proceedings of the Commissioners of the Northern Circars dated respectively 19th March and 20th May 1850, it seems that the three Estates in question were then under Government Management (paras 12 & 7 respectively).

14. In an Official Memo dated 1st August 1850 from the Commissioner to the Principal Assistant Collector the latter was required to recover from the "Proprietor" Ramayya and his surety the Rs 14,000 being the amount of the first instalment payable to Government on 30th August 1850 in accordance with an agreement between Government and petitioner. The Principal Assistant Collector was further required to withdraw the attachment on the Estates after the recovery of the money as stipulated in the agreement. There is not in my records any copy of the agreement referred to.

15. To get means to enable him to pay Government the Rs 14,000 petitioner on 30th August 1850 the Dantu Estate and three villages of the Palakoi Estate. The transfer was approved by the Commissioner vide the Commissioners Official Memo to the Principal Assistant Collector dated 26th August 1850 and para 3 of the Commissioners letter to the Collector dated 4th October 1850. After these steps the Palakoi Estate (~~sought to be released from attachment~~) alone remained in petitioners possession.

16. On 31st August 1850 the Collector wrote

wrote to the Principal Assistant Collector to say that petitioner had paid Rs 2,300 into the Chittoor Treasury and that if petitioner or his surety paid the remaining balance of Rs 14,000 the Dumka and Polaki Estates might be released from attachment.

17. On 17 September the Commissioner again wrote to the Principal Assistant Collector to call on the Proprietor and his surety to make good the balance remaining unpaid out of the Rs 14,000 and in the event of their failing to pay the said balance to report the same to the Collector and the Commissioner in order that advertisements might be prepared for the sale of the estates with as little delay as possible.

18. On 11th October 1850 the Principal Assistant Collector reported to the Commissioner that the balance referred

referred to in the last para had been paid. Upon this the Commissioner ordered withdrawal of the attachment and the restoration of the Estates to the Proprietor Ramayya, the petitioner. The Dumka Estate and the 3 alienated villages of the Polaki Estate were entered in the names of the purchasers, vide the Commissioner's letter to the Principal Assistant Collector dated 7th October 1850.

19. On the subject referred to in the last para, the Collector on 12th October 1850 wrote to the Principal Assistant Collector his letter No. 287 in which he informed the latter Officer that the Proprietor owed Government Rs 4262-14-0 in addition to the amount for which security had been given. The Collector further

further requested the Principal Assistant Collector to take from the proprietor an agreement for the payment in 2 or 3 instalments of the Fasly arrears. The particulars of the debt were not given.

20. On 16th October 1850 the Polakii Estate was given over to petitioner, but he did not long remain in possession of it. On account of arrears of Pish Cush the Estate was shortly after again brought to sale as shown below. On 22d May 1851 the Principal Assistant Collector wrote to the Proprietor Ramayya telling him that the Polakii Estate had been again attached on account of the undermentioned arrears outstanding against it.

Arrears of Pish Cush Fasly 12 & 33-15-11

| | | |
|---|---|---|
| Pish cush | 20150-9-3 | 20637-13-7 |
| Interest thereon | 487-4-4 | |
| | 20637-13-7 | |
| | | 32671-13-6 |

21. On 24th January 1851 the Collector directed the Principal Assistant Collector to tell the Polakii Proprietor that if he did not pay up the arrears that if he did not pay up the arrears then due he could be shewn no further indulgence and that the Estate would be brought to sale.

In Letter No 31 See also Collectors Letter No 160 dated 15th April 1857

22. Before attaching the Estate, the Principal Assistant Collector brought to the Collectors notice Ramayya's conduct in failing to pay his dues to Government notwithstanding repeated remainders. On 30th June 1851 another instalment of Rs 3785-11-4 fell due and was not paid by Ramayya or his surety Bala Venkatramma though they were repeatedly called on to pay it.

× Vide Letter No 58 of 16 April 1851

× Vide Principal Assistant Collectors letter No 6 dated 2 July 1851

23. The Estate was put up for sale on 12th July 1851 and was purchased by Yedamapudi Venkatratnasarma

for

for Rs 34,600. Name already mentioned the amount of the arrears in satisfaction of which the Estates were sold and the following are particulars.

| | | Rs | as | p |
|---|---|---|---|---|
| Fasli 1254 | Principal | 1646 | 11 | 10 |
| | Interest | | | |
| " 1259 | Principal | 1387 | 4 | 1 |
| | Interest | | " | " |
| " 1260 | Principal | 20150 | 9 | 3 |
| | Interest | 1487 | 4 | 4 |
| | | 32671 | 13 | 6 |

24. On 15th September 1851 the Collector in his Letter No. 339 asked the Principal Assistant Collector if the Collector had given the Godalawasi the Collector had given the Godalawasi Arrears (Soya pradeshe arrears and Pannayan) from the said Arrears in Collecting Charges from the Ryots & the Collectorship Estate Income it had been asserted by Ramayya

as a grievance against the Collector that he had given the Arrears such assistance and refused it to him.

In reply the Principal Assistant Collector wrote that the Arrears had applied to him for assistance in attaching the property of certain defaulters and that he had given it under the provisions of Section 20 Regulation 28 of 1802.

X See his No 52 dated 17th Sept 1851

25. From the Collector's Letter No. 346 dated 30th September 1851 and its enclosures it appears that a former subdivision Settlement Palaiyan Subbaroya Karlan in an underhand way concerned in the first sale of the Estate Rs. 34,600 stated in the first sale was subsequently cancelled for reasons to me unknown. By his Letter No. 346 the Collector asked for

the Subseristadar's Explanation as to why he had entered into an agreement with the Yeddanapindi Sowcars and why he had any interest in the purchase of the Polatu Estate which he could not but be aware was opposed to the orders of Government. There is nothing in my records to show what next took place about this matter of the Subseristadar being concerned in the sale. I have heard that Palaniandie Subbaraw was eventually dismissed, I think in 1838. He was then charged with bribery but not tried criminally. From what I have heard, the suspicions against him were so strong that although not tried criminally he was dismissed from Government service. By his letter No. 255 dated 21st December 1852 to the Commissioner a former Principal Assistant Collector forwarded the said Subseristadar's explanation on another petition No. 1308 of 1852 with the following remarks. I send my Subseristadar's remarks on petition No. 1308 of 1852 which will I hope prove satisfactory.

26 The Collector and the Commissioner ordered the Principal Assistant Collector to apprehend a civil defaulter Balatrishnamma, Ramayya's surety and to send him to the Zillah Jail under Clause 1 Sec 13 Regulation 2 of 1802.

27. On 8th November 1853 in his letter No 190, the Principal Assistant Collector raised certain objections to Balatrishnamma's imprisonment. He considered that, under the defaulter's stat

had been sold to liquidate the arrears, the surety could not be held responsible for the arrears.

28. On 23d October 1852, the Principal Assistant Collector wrote to the Yeddanapudi Sowcars that their purchase of the Palle Estate for Rs. 34600 had been confirmed by the Commissioner of the Northern Circars, that they had already paid Rs 5190 as security for the payment of the purchase money, and that they should at once pay the balance Rs 29410.

29. On 1st November another order was sent to these Sowcars warning them that the time allowed them by the Collector for the payment of the money would close on the 25th November.

30. On 25th November 1852 in his letter No 227 the Principal Assistant Collector

× On this date see the Collector's letter No dated 4th October 1852 of which a copy is in my records.

Collector wrote to the Collector that the Yeddanapudi Sowcars had not paid the purchase money although the time allowed them had expired on 24th November 1852 and that there was no chance of their paying the money even if more time should be given them.

31. With his letter No 271 dated 11th December 1852 the collector sent an advertisement for the sale of the Palle Estate. On 23rd December 1852 the Estate was put up to auction and bought in on account of government for Rs 38600 ×

Vide Collector to Principal Assistant Collector No 2539 23d December 1852

The balance due by the proprietors of the Estate were also put up to sale and were brought in on account of government for Rs 200.

32. On 13th January 1853 an order was sent to Ramayya informing him

him that on the 23d December 1852 the arrears due by the Pyoto for Fasles 1260 & 61 (omitting the arrears from Fasli 1254 to 1259) had been put up to sale and bought in on account of Government for Rs 200 would be given him if he were willing to take them and that if he were not willing the arrears of all previous Fasles would be put up for sale on 17th January 1853 and that he should send an account to show the arrears due by the Pyoto prior to Fasli 1254. On 7th May 1853 Ramayya wrote to the Principal Assistant Collector to say that he would not receive the balance of Rs 2467-3-8 said to remain in his favor after the discharge from the sale proceeds of the Estate of all Government dues. The reason Ramayya gave for his refusal was that his Vakil had gone to appeal and that the result of the appeal was not known to

the Principal Assistant Collector twice wrote to Ramayya telling him not to hope to get back the Estate and asking whether Ramayya was willing to receive the money or not.

33. The two undermentioned letters of which and their enclosures I forward copies give a clear account of what took place between the sale of 17th July 1851 and 20th April 1853 when the Estate was finally taken possession of by Government.

1. Letter No 649 dated 18th December 1852 from Mr. Elliot to Mr. Onslow then Collector of Ganjam

2. Letter 1202 dated 16th April 1853 and its enclosures from Mr Onslow to Mr. Fraser then Acting Principal Assistant Collector.

34. The annexed Table shows the present demand of the Polaki Estate

35. It appears then that of the 3 Estates (Polaki and Jutchimpuram came into the possession of Government on

Consequence

Rs [illegible] the present demand of the Polaki Estate consisting of 25 villages for the year 1262 (1852-53) — 32320

Rs [illegible] the present demand of the Polaki Estate for the year (1852-53) the year in which the Estate has been taken by Government — 25630

To mention that the profit on the Polaki the Pyoto of 25 villages has been deducted. Demand for the year 1262 the year following to show what was paid

Consequence of their being sold for arrears of Revenue and that Dawla was sold by Mosalkanti Ramaiah Swamy of Thus is stated from the proceedings of the documents now available in my office which is contained in para 4 supra. My opinion is that M. Ramiahs petition consists chiefly of a tissue of falsehoods and that at the time he left his Estates he received more than reasonable consideration. His statement that the Estates were sold while he was yet a minor, upon his own showing not true. He claims to have come of age in 1826. In 1830 the Estates were in his possession. He himself sold Dawla. The other two Estates Polaki and Lustinisuram came into the possession of Government on a resale which took place because the purchasers of those 2 Estates at a sale for arrears of Revenue due by M. Ramiah were unable to pay up the full purchase money. I return herewith all the papers connected

connected with the subject which were forwarded to me.

I have &c
(signed) W.m Graham
Acting Principal Assistant Collector

True Copy.

W.m Graham
Acting Principal Assistant
Collector in charge.

Copied by
Ramanadam
Interpreter

Examined by
E. Johnson
Head Clerk

Enclosure in letter from the Collector of Ganjam to the Secretary to Government Fort St. George, dated 14th February 1874 No. 499.

Rev. Dept. 74.

Min: No. 199 d. 29th May 1874.

Copy of Principal Assistant Collector's letter on the Estates of Palasa Dauta, & La Kshmipuram.

From

The Collector of

Ganjam

To

The Secretary to Government

Fort St. George

Dated Chatterpore, 14th February 1874.

Sir,

With reference to Endorsement No. 1572 dated 6th November 1872, on letter from M.s Ramiah, the late Peishkar of Dauta, I have the honour to forward a letter from the acting Principal Assistant Collector, which gives in connected narrative all the information which seems to be now available. From this letter (vide para 7) it seems that of the three Estates which belonged to petitioner's father, two Estates and Lakshmipuram were put up to sale & auctioned for arrears of revenue and became the

property

purchasers of that Estate were unable
to pay up all the fees - Rates & Moneys, the
two Estates were again put up to Sale
and bought in on account of Government
Rates of Arrears (vide para 15) that Petitioner
himself by private Sale sold the
Dauta Estate to Seh Jumbo to pay certain
Moneys due by him to Government & Petitioner
on his own showing was not a Minor
when he sold Dauta and still less a
Minor when Polasi and Lakshmipuram
were sold. I quite agree with Prof Graham
as to the untruthfulness of Petitioner's
statements, and he seems to have
relied chiefly on bold assertion rather
than on legal proof of the truth of his
statements - Here an Example of a
very Common class of Land holders who
allow arrears of Revenue to accumulate

and

and Moneys their Estates are sold
to satisfy the Demands of Government
Considered that they are treated with
injustice - Prof Graham's letter
seems to prove as he says that
Petitioner was treated with great con-
sideration and that he had only
himself to blame for the loss of his Estate
and Dauta's opinion that he had ab-
solutely no shadow of a Claim to the
Estates which formerly belonged to him
For this reason and because the
reference has remained unanswered
for several Months, I am unwilling
to cause further delay by keeping back
the information now got together in the
hope that any further documents may
turn up to throw light on the matter

O

I therefore forward, for Your Excellency's
letter with its Enclosures relating at
the same time the original Petition
and Endorsement.

2 I have the honor to make the
Records of my Office for any further
Papers connected with, or which may
throw light on the subject matter, I
should it any further information
will be required of it does, it will be
forwarded hereafter.

I have the honor to be
Sir,
Your Excellency's Most
Obedient Humble
Servant
Thos Ord
Collector.

Rec'd by
Chas Mackenzie
Asst Sec'y

Rec'd by
A Johnson
Ass't Clerk

Custom House Quebec
1874

Rec'd
The Collector of
Customs
Quebec
Secretary to Government
Provincial Department
Fort Hill George

14th
Q 24th February
Rec'd 10th March 1874.

No 177
Lodged
Enclosures 2.
Quarte 2 Govt Petitions
& their Enclosures.

Submits report on
Government Endorsement
of 16th November 1872
on petition from Mr Pennick
regarding the sale of the
Estates of Polaki, Dauta,
and Lake Chimpenaum,
and forwards Principal
Assistant Collector's report
with its Enclosures.