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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.
B.P. No.

1049

Press
Mis.

Dated 7. 8. 1976 196 .

Not to be folded or roughly handled

1049

*Proceedings of the Madras Government, Revenue Department,
7th August 1876.*

Read G.O., No. 975A dated 19th July 1876.

No. 39. Read also the following letter from E. BARCLAY, Esq., Government Solicitor, Madras, to the Hon. D. F. CARMICHAEL, Secretary to Government, Revenue Department, Ootacamund, dated 26th July 1876, No. 362:—

I HAVE the honor to acknowledge receipt of the Proceedings of Government, dated 19th July 1876, Revenue Department, requesting the Advocate-General's opinion relative to the question whether, with reference to Sections 2 and 3 of Regulation V of 1804, the Minor of Bobbili can be considered under the jurisdiction of the Court of Wards.

2. I submitted the matter for the consideration of the Advocate-General, and I now forward herewith a copy of his opinion.

OPINION.

I do not think that the young Zamindar of Bobbili can be "under the jurisdiction" of the Court of Wards, within the meaning of Section 3 of the Indian Majority Act, 1875, unless there has been the decision of the Governor in Council committing him to the care of the Court of Wards under Section 8 of Regulation V of 1804. This decision should proceed on the report and statement by the Board of Revenue provided in Section 3.

2. If it is desired, accordingly, to extend the Zamindar's minority to the completion of his 21st year, it will be necessary for these steps to be taken. Regulation X of 1831, Section 2, provides that the Court of Wards may assume charge at any time, but this assumption of charge must be made, it appears to me, in the manner provided in Regulation V of 1804.

24th July 1876.

(Signed) H. S. CUNNINGHAM,

No. 40.

ORDER THEREON, 7th August 1876, No. 1,049.

Miscellaneous.

The relinquishment of the charge of the estate to the Rani, the widow of the late Zamindar, having been deliberately

adopted at the time, His Grace the Governor in Council does not desire to reverse this policy. The Court of Wards will however be requested to procure from the Collector a statement, from his personal knowledge, of the acquirements and disposition of the young chief. It should at the same time be courteously suggested to the Rani that her son is now of an age when a secluded home-training may be advantageously exchanged for a method which will enable him to mix with young men of his own class and in English society; and that the Government will gladly assist her in making arrangements for that end.

(True Extract.)

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

To the Government Solicitor.
„ the Court of Wards.

Exd. R. F. Bantleman.

Opinion.

I do not think that the young Zamindar of Bobbili can be "under the jurisdiction" of the Court of Wards, within the meaning of Sec: 3 of the Indian Majority Act, 1875, unless there has been the decision of the Governor in Council, committing him to the care of the Court of Wards, under Sec: VIII of Regulation V of 1804. This decision should proceed on the report and statement by the Board of Revenue provided in Section 3. 2. If it is desired, accordingly, to extend the Zamindar's minority to the completion of his 21st year it will be necessary for these steps to be taken. Regulation X of 1831 Sec: 2. provides that the Court of Wards may assume charge at any time, but this assumption of charge must be made, it appears to me, in the manner provided in Regulation V of 1804.

/ Signed / H. S. Cunningham
24. 7. / 76.

/ True Copy /
James Macleay
Government Solicitor.

of course

Govt. of 1876: 3000000
REVENUE.
To THE GOVERNMENT SOLICITOR.
Dated August 7th.
P. C. 714 Aug. 11 1876, No. 1048.
AUGUST.
Nos. 39-40.
Bobbili Zamindar in the Vengalpet District.
Declining to reverse the policy with reference to the relinquishment of the charge of the — to the Rajah, the widow of the late Zamindar, and requesting the Court of Wards to procure a statement of the requirements and disposition of the young chief, suggesting that it be courteously intimated to the Rajah that a secluded home, being may be advantageously exchanged for a more suitable one, and that the Government will gladly assist in making arrangements for that end.

1047
6
N^o 362.

Madras, 26th July 1876.

From

Ernest Barclay

Government Solicitor

Madras

To

The Honorable D. F. Carmichael

Secretary to Government,

Revenue Department,

Cotacamund.

Sir,

1. I have the honor to acknowledge receipt of the
Proceedings of Government, dated 19th July 1876, in
Revenue Department, requesting the Advocate
General's opinion relative to the question whether
with reference to sections 2 and 3 of Regulation
of 1804, the minor of Bobbili can be considered
under the jurisdiction of the Court of Wards. -

2. I submitted the matter for the consideration
of the Advocate General and I now forward here -
with a copy of his opinion. -

I have the honor to be,

Sir,

Your most Obedient Servant,

Ernest Barclay

Government Solicitor. -

Ms 3091/36

Enclosure to letter
No 362 dated 26th
July 1876 from the
Government Solicitor
to the Secretary to
Government Revenue
Department
Cotacamund.

C-29: July 196 12544

1239

Regarding the
advocate General's opinion
in reference to the
2 & 3 of Regulation
of 1804 the Minor of
Bobbili can be con-
sidered under the
jurisdiction of the
Court of Madras.

17. 362
Dated 26 July 1876
Recd. 28
Sd/- 1009 1009 1009 1009
Encl. V

Revenue 1876 2 of 1009
The Advocate
The Secretary to Govt.
Revenue Deptt.
Bathurst

REVENUE DEPARTMENT.

No. 3071

From

Govt. Solicitor

Dated

28th July

1876

FOR ORDERS.

The Adv. General's Opinion shows
that young Bobbili will be of age
at 18, instead of at 21 like all other
young Zamindars, because his
Estate has not been formally placed
in the charge of the Bd. Revenue, by
hefort.

Sol^r certifies in this -
The object of the Law
to defer the coming of
age of these young nobles
until they can be educated
and this is an important
case in point.

2. It will be a great pity that he should
forfeit three years of pupillage -
shall be Bd. Rev. be asked to
report on the propriety of his being
made their ward, pro forma; with
the view of securing his better edu-
cation?

31/7

101

Sd/- 29-7-6.

I think we can hardly apume the management
of an estate which we allowed the Rance of Bobbili
to manage so long as she continues to manage it well -
merely to coerce the education of a boy of 17. rather a helpless
age to begin our with - What have we done for the last six
years in the way of advice - Has the Rance neglected our
advice. I submit we cannot now proceed down on her
in this summary fashion. What Evidence have we that

the youth is neglected or
being viciously educated?

I think we might write
warmly to the Rance
and advise that the young
Tindas should come
& see something of European
society & be polished up
at Madras but I would
certainly not go beyond
this. We should have
interfered much earlier
to do any good.

M.L.

3/8

1069

FOR ORDERS.

No 1049. 21st August 1876

from a deep - breath.

✓ Read G.O. to adv. J. Feb. 20 1878

✓ Read Adv. Genl's opinion

The relinquishment of the charge of
the Estate to the Rani, the widow of
the late Zaminder, having been
deliberately adopted at bedchamber, His
Grace has. inf. ~~advised~~ ^{advised} does not
desire to reverse his policy. The Ct. of this
will however be requested to procure from
the Collr. a statement, from his personal
knowledge, of the acquiescence & disposition
of the young Chief. It shd. at the same time
be counterbalancing suggested to the Rani that
her son is now of an age when a secluded
home training may be advantageously exchanged
for a one hand who will enable him to mix with
young men of his own class & in English society; & that
Govt. will gladly assist her in making arrangements
for that end. D. J. C. - Aug 5th

c. 25: July 196 R 5: Aug 196