M.R.O. 14—12,000—27-9-54

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 56 Press ~~Mis.~~

109-110

Dated 9—1— 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 9th January 1867.

No. 109. Read the following letter from G. F. FISCHER, Esq., Contractor of the Zemindary of Shevagunga, to the Chief Secretary to Government, Fort Saint George, dated Madura, 17th December 1866 :—

When forwarding to you copy of my letter to the Board of Revenue, dated the 11th instant, I was under the impression that I had already forwarded, for the consideration of Government, a copy of my letter to the Board of Revenue, dated 13th August 1866, under cover of a letter addressed to Government; but as I find that it was by an oversight in my Office not sent to you as I had intended, I have the honor of now doing so, and beg the Government will take the subject to which these letters refer, and another I am about to address to the Board, into favorable consideration.

No. 110. ORDER THEREON, 9th January 1867, No. 56.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

(Signed) J. GROSE,

Under Secretary to Government.

Exd. S. T. Augustin.

From
F. Fischer Esqre
Contractor of the Ghmindary
of Shevagunga.

To
W. Auditor Esqre
Secretary to the Board of Revenue
Fort St. George

Sir

I have the honor to acknowledge
the receipt of Proceedings of the Board of
Revenue No. 2149 dated 2nd December 1866
containing letter from H. Savage Esqre
Collector of Madura to the Secretary to the
Board of Revenue No. 326 dated 1st October
1866, in reference to Board's Proceedings No.
6333 dated 6th September 1866, and the
Board's decision on the subject of his refusal
to furnish me with copy of the Bolcium
Accounts applied for, on the 14th March last
by me as Farmer of the Ghmindary of
Shevagunga.

I regret that the Board have

again be read, accepted with Levinge's explanation, and do fully absolve them-selves to be misled by his incorrect state-ments in arriving at the decision they have come to; which statement I shall take an early opportunity of disproving as soon as I shall get from Shevaroys certain papers and information which I expect-ed they that the Board will mean-while not consider themselves fully disposed of as I am sure it requires the Board's first Proceedings above three before Government in the subject

Madras
17th December 1866

(Signed) J. H. Fischer

True Copy

[illegible]

Gitto

by

and others by former Hindu law subject to
homicide restoration payable to the
Hindu by whom the land
was originally held has been alienated that
was forfeited back by succeeding Hindus
with Hindu rights and remedy their
heirs in the property still being subject
to the payment of Poratchie to the Hindu
Temple as well acquired and those alie-
nated by the lieutenant of the Hindu
that created them but after his death
they become incorporated with the Hin-
du Law and with regard to his suc-
cessor they become ancestral and sub-
ject to the same rules of alienation as other
Hindu Law and alienation and their
interest shall devolve according
ment of the Civil Court Estate in
a suit for Rathnam Canal in the pro-
cession of 2 pieces in which the Pence
was Plff. By a perusal of the Decree

dispossession
of the property
of his right to Rathnam

O.D. 16/1864

2

5m

with possession that the Pandaram
left a part of the Rathnam village to
as the private property of his father
(not of himself) the Plaintiff claims
legal that he is distinct and separate there
with his other private estate. They became
embodied in the Hindu law became
a portion of the Devasthanam estate and
that belongs to the power of alienation then
died not under Hindu Law descend
to his successor but that to himself
in fact that the private estate became
ancestral and hereditary with regard
to her and she can no more treat it
as her private property than she could
any other portion of the Estate.
So with regard to the Rathnam village included
in the Decree of 1845 & 1856 and obtained
as a part of the appointment of the
Hindu Law under the Decree of Privy
Council of the 5th December 1863 in which
Plaintiff to terminate - they have been
in regular [illegible]
of the Hindu Law and [illegible]

the Collector could not but have been aware of the claims that I had set up to the Rents & Interest in these Estates & to the additional Rents which had been withheld from me by the Ryots, & that I had instituted Suits for the recovery of the same. When I obtained possession of the Estates I gave up the whole of the Accounts of the Estates with the exception of those now forming the subject of the present letter and which were then overlooked were ordered to be handed over to me by order of the Court because of my being without the Accounts it would be absolutely impossible for me either to administer the affairs of the Zemindary on the one hand or to secure the full benefit of my rights as Landholder on the other. I am [illegible] class of lands in the Zemindary and am therefore exempt from all other demands [illegible] Rents [illegible] Zemindary [illegible]

[illegible] Rents [illegible] Zemindary [illegible] Accounts [illegible] Collector [illegible] Court [illegible] Rents [illegible] Zemindary [illegible]

Parents are aware that the Resolutions which I in receiving it as the Lessee's and the Lessee I retain the and the Lessee and am with the Payment of them During the past 21 years of my lease, the Rate has made no objection whatever to my having the Rollsum accounts Mr Lewis therefore refuses one Copies of them upon his own Responsibility unjustly

The offensive insinuations Contained in para 2 of his letter and which he introduces with the passage I understand and I learn, I learn by the Resolution that Mr Lewis is only too ready to have his letter upon leasing before whenever he happens to be engaged in disputes with the object of such reports - But it is surprising that he should have made here the point upon which he asks us to offer explanations he should have declined to submit Rents Books and Ledgers for the inspection of his Solicitor

3

with my lease and with the correspondence which has passed between the Parish Council and myself in regard to my lease before them and with the different statements which I have made to him, not to withhold any part of it in any way to invalidate my right to a lease of the Farm but to render it difficult for me to enforce them, the conduct of the Collector with reference to the refusal of the Rollsum Accounts appears to me to be quite inexplicable and deserving the consideration of the Council

In denying the correctness of the various statements which I have made in my letter to the Parish Council I respectfully beg to request that the Collector may be required to point out the parts of the letter which he considers inaccurate and which he has not brought before the Council

12. I regret to be obliged to observe

that it would appear by this Letter of
Report that he has sent himself to Clerks
who have under the encouragement, if
not under the direct instigation of the
Assistant Secretary Frank Hatton sought
Jacks, who has professedly embarked
influences over the Collector, endeavored
to thwart every possible difficulty in the
way of the quiet enjoyment of my Lease
and who has been convicted in every
conspiracy that has been formed against
me since I obtained my Lease of the
Premises and as he cannot be found
he could not make that statement
which he has been apparently in the
habits of making when it was on the
hands of Mr Hatton and because I did
not comply with his unjust & unreason-
able demands one of which involved
for a sum of Fifty Thousand
which he said he had advanced Mr
Hanes Husband. I complained to
Mr Hanes at the Hanes Request that

[illegible]

due. He did not state that the debt
was a full [illegible]
And Even I would by to
submit that Mr Lewis's Statement
albeit to reply in haste & of his report
Any one "is to be a matter of fur-
prise since he cannot but be aware
as the Collector of the District
the Northern hands solicited from the
subject of his letter as he situated
within the boundaries of the
Habeas Corpus of Each boundary of
a writ of
under these circumstances
Respectfully he alludes to as being one to
whom the refusal of the Sheriff of the
accounts in question would as
doubt be satisfactory
It appears to me strange
Sir that the Board should so readily
accept as they appear to have done
the Collector's explanation and
explanation which a very little trouble
would have enabled them to

circumstances I beg that the Lord will be pleased to take an impartial view of the whole case and to direct Mr Lennox to furnish me with the Copies for which Mr Lane applied and to which Mr Lane can undoubtedly

I have the honor to be
Sir,
Your most obt Servt
(Signed) J. Fisher
(Fred Jeffry) Pelham

[illegible]

[illegible] herein to have been [illegible] and inadmissible and [illegible] erroneous and unreasonable and wherein the Lord bases his argument upon the several assumptions which I submit are as perfectly groundless as they are inadmissible I conceive I have nothing [illegible] the Lord Chancellor to refuse to award a Writ de lunatico inquirendo as the Petitioner cannot possibly take any further Step under Sir Edward Sugden's Act for the Petitioner to [illegible] Copies of the Depositions taken by the Petitioner [illegible] Copies of Depositions taken by the Respondent [illegible] Affidavits [illegible] Copies of these Depositions are based upon Hearsay and upon no legitimate Evidence whatsoever and that the reasons for withholding the Copies would not object to them being granted are mere Conjectures of his own or must have emanated from insinuations by some mischievous party - and under these

Rec'd Aug 30th
No 4594.

RECORDED.

Holkham

Letter to the Board

of Clemency.

30th August 1866.