

Entry

6th December) Sent the following letter

To The Principal Collector of
Salem

1

To the Princ.l Coll.r of Salem

Sir

In cons.d 8th Nov.r 1841

In reply to your letter of the 29th October I am directed by the Board of Revenue to acquaint you that Government under date the

In cons.d 29th Nov.r

23d October were pleased to sanction the Charge of Rupees 123 - 13 - 0 thereby reported disbursed on the Purchase of Stationery for your Department

Revenue Board Office
Fort St George
6th December 1841

(Signed) T. B. Smollett
Secretary

A.L.

ORIGINAL DESTROYED

Thursday 9th December 1841

At a Meeting Present

John Dent Esqre Senior Member

G. D. Drury Esqre Second Member

Walter Elliot Esqre Third Member

and

Alexander Maclean Esqre Temporary Member

Minutes of the last Meeting read and approved.—

Read again Extract from the Minutes of Consultation dated the 26th October and entered in Consultation 4th Ultimo.—

2

Order thereon Ordered that transcript of Paras 4 to 9 of a letter from the Honorable the Court Directors to the Governor in Council at Fort St. George dated the 23d June 1841 having reference to the condition of the territory formerly connected with Coorg but now attached to Canara as well as to the causes of the discontent of

of the population residing thereon be furnished to the Principal Collector Mr. Blair who will be strictly guided by the orders and injunctions of the Home Authorities in all matters relating to the Settlement of these districts.—

Read the following Extract

3

From the Secty to the Govt of India

Extract from the Minutes of Consultation dated 29th November 1841

Read the following letter

To W. Elliot Esqre

Acting Secretary to the Govt of

Sir Fort St. George

With reference to Mr. Chief Secretary Chamier's letter No 825 dated the 19th October 1840 with enclosures, I am directed to transmit to you for submission to the Right Honorable the Governor in Council, the accompanying copy of a draft of a proposed Act for consolidating and amending the laws relating to trespass of Cattle, read in Council for the first time under this date for any observations which His Lordship in Council may feel desirous to offer on

Fort St. George 4th December 1841

on its provisions—

Fort William,
The 1st November 1841 } / Signed J. H. Maddock
Secy to the Govt of India

A.

Fort William
Legislative Department
The 1st November 1841.

The following Draft of a proposed Act was read in Council for the first time on the 1st of November 1841.

Act No. — of 1841

An Act for consolidating and amending the Laws relating to trespasses by Cattle—

I

It is hereby enacted that all persons who negligently or wilfully shall allow Cattle to damage any species of growing Crop shall on complaint of any party injured be liable, upon being convicted before any Magistrate, to a fine not exceeding two hundred Rupees for every such offence—

II

And it is hereby enacted that

Fort St. George 4th December 1841

that it shall be lawful for every Magistrate, before whom any person shall be convicted of the aforesaid offence, to levy the same by distress of any property of the offender, and at his discretion to apply the amount levied, or any part thereof, for compensating the party or parties injured and in case the fine or any part thereof cannot be levied the offender shall be liable to be imprisoned for any period not exceeding two Months, unless the fine, or the residue thereof be previously paid—

III

And it is hereby provided that nothing in this Act contained shall prevent any person from recovering compensation for any damage committed by Cattle to any growing Crop, provided he shall have received no compensation for the same under this Act, but not otherwise

Ordered, that the Draft now read to published for general information—

Ordered

Fort St. George 9th December 1841

Ordered that the said Draft be reconsidered at the first Meeting of the Legislative Council of India after the 1st day of February next—

(Signed) J. H. Maddock

Sect. to the Govt of India

Ordered that a copy of the Draft of the proposed Act "for Consolidating and Amending the Laws relating to trespasses by Cattle," be furnished to the Board of Revenue and to the Court of Foujdaree Udalut, for any observations they may desire to offer on its provisions—

(Signed) J. W. Chamier

Chief Secretary

Ordered that the following address be submitted in reply—

To

Fort St. George 9th December 1841

To The Chief Secretary to Government

Sir,

3-4

To the Chief Sect. to Govt — In Con. 9th Dec. 1841

Para 1. I am directed by the Board of Revenue to acknowledge the receipt of an Extract from the Minutes of Consultation under date the 29th Ultimo transmitting for observation Copy of a proposed Act "for consolidating and Amending the Laws relating to trespasses by Cattle"

In reply the Board direct me to state that the Magistrates under the ordinary Regulations in force under this Presidency more particularly Regulation 9 of 1816 already seem to possess powers similar to those sought to be conferred upon them by the proposed Act. The amount of fine, it is true, competent to be adjudged, is less than that prescribed in the Act under observation, but the Board believe that the law, as now administered, has been found effectual, and that no necessity exists for its modification.

2. In other respects the Enactment does not seem to require observation

observation.

Revenue Board Office
Fort St George
9th December 1841.

(Signed) H.B. Smollett
Secretary

Read the following Extract
Extract from the Minutes of Consultation
under date the 3d December 1841.

Read the following letter

To, W Elliot, Esqr
Acting Secretary to the Government of
Fort St George

5

From the Secy to Govt } Sir

Previously to coming to a
determination on the subject of your letter
No 1138 dated the 7th Ultimo, I am directed
by the Right Honorable the Governor
General of India in Council to request
that a Copy of specimen of a summons
issued by the Government in 1806 and
alluded to in para 2 of your letter, may be
furnished for His Lordship in Councils
inspection.

Fort William
The 1st October 1841

(Signed) J. H. Maddock
Sect to the Govt of India

The Board of Revenue will
furnish a Copy of the Summons issued
under

under the Authority of Government in No
for the Service Yearmiahs reserved to in the
Extract from their Proceedings dated the 23d
of July 1840 and in their Secretarys letter of
the 9th of August last No 321.

(True Extract)
(Signed) H.W. Chevenix
Chief Secretary

To
The President & Members
of the
Board of Revenue

Ordered that the following
letter be sent in consequence.

To The Principal Collector in the
Northern Division of
Arcot

Sir,

5-6

To the Pl Coll in the Nn Dn of Arcot } Para 1. The Board of Revenue
having been required by Government to
forward for submission to the Government of
India, a copy of the Summons issued in 1806
in renewal of the allowances for life or service
granted by former Governments I am
directed to request a form may be furnished
for transmission at your earliest convenience

2. Forms of these instruments
it

Fort St. George 9th December 1841

it is seen were forwarded for distribution
in the letter from this Office to Mr. S. G.
Ravenshaw under date the 2d October 1806
but Copies are not now forthcoming in
this Department—

Revenue Bd Office
Fort St George
9th December 1841

/ Signed/ P. B. Smollett
Secretary

Read the following Resolution
Extract from the Minutes of Consultation
dated 29th November 1841.

(7)
From the Chief Secy to Government

/ From Bd 4th Novr /

The Right Honorable the Governor
in Council sanctions the refund of the
Sum of Rupees (17) Seventeen recommended
in the foregoing Proceedings—

/ Signed/ H. Chamier
Chief Secretary

Ordered that the following
Letter be sent in consequence—

(7-8)
To the Pr Coll
of Madura
Ins. 15th Nov.
1841

No. The Principal Collector of
Madura

Sir,

I am directed to acquaint you that
Government under date the 9th November have
been pleased to sanction the refund of Rupees
Seventeen to Vencataram Vadi & others agreeably
with reasons submitted with your letter of the 2d ultimo

Revenue Board Office
Fort St George 9th December 1841

/ Signed/ P. B. Smollett
Secretary

PGB

Read the following Extracts—

Extracts from the Minutes
of Consultation under date 19th November 1841.

(9)
From the Actg Sect to Govt

Read the following Letter

To the Acting Secretary to Government
in the Judicial Department
Fort St. George

Sir

I am directed to transmit Extr
the information of the Right Honorable
the Governor in Council in conformity
with Section XXXI. Regulation VII A.D.
1809, copy of the Decree passed by this Court
in Revived Special Appeal No 57 of 1837
in which the Principal Collector of
Canara is a party.

Provl Court of Appeal
Western Division
22d September 1841

/ Signed/ H. Morris
Actg 3 Judge for Regr

Western

Fort St. George 9th December 1841.

Western Division

No of the original Suit on the File of the Zillah Court of Canara 707 of 1824.

(Seal)

No. in Appeal before the Assistant Judge of the Uddalut 2 of 1826

No. on the File of the Provincial Court in Revised Appeal 16 of 1837.

Harapullaa (Pauper) Appellant

Versus

1 Krishniya
2 Venkatramanya
3 Vitta Cumtee
4 Ruvulupa
5 Moodooriya
6 Mr. Lewin Esqre Principal Collector of Canara & subsequently his Official Successor Mr. Maltby Actg Principal Collector and Mr. Blair Esqre Principal Collector of Canara the 6th Special Respondent by Vakeel Hurpen Cootty.

Harapullaa (Pauper) 1 Krishniya 2 Venkatramanya 3 Vitta Cumtee 4 Ruvulupa 5 Moodooriya Supplemental Respondent by his Vakeel N. S. Cameron Esqre Principal Collector of Canara and subsequently his official successor H. Vincent Esqre Principal Collector of Canara

Decree of the Provincial Court.

The Special Appellant seeks the reversal of a Decree of the Assistant Judge of the Uddalut of Canara confirming a previous decision

Fort St. George 9th December 1841.

decision by the Register, which dismissed her claim to recover a land, with the House &c thereon of the alleged annual produce of Hoons 6 L 4 as bearing an annual assessment of Hoons 22 8 3 which, as she asserts were illegally sold for arrears of Revenue amounting to Hoons 20 L 4 as

Under date the 18th of January 1839 the Provincial Court passed a Decree pronouncing the sale irregular with reference to the provisions of Section V and Clause Fifth, Section XIII Regulation XXVII of 1802 & adjudging the Principal Collector of Canara (the Special Respondent) to pay to the Special Appellant 1222 L 83 Rupees 2m Rs on account of arrears of produce; and that the land be restored to her, the Principal Collector repaying to the purchaser the amount received from him &c &c as detailed in the Decree.

An application for a review of that judgment having been made by the Principal Collector in a Petition presented under date 20th May 1840, it was rejected by the Provincial Court & further research ordered in their proceedings of the 28th June following. Upon which that Officer appealed to the Sudr Udalut, and the Judges of that

that Court in their proceedings under date the 23d March 1840 directed that the said Decree be recalled and cancelled for irregularity, and that the Appeal No 16 of 1837 be revived in order to its reconsideration and eventual judgment de novo. One of the grounds of this order was stated to be that the view taken by the Provincial Court of the merits of the Cause had resulted from an erroneous construction of the Regulations.

The following is an Extract from the said proceedings of the Sudr Udalut:-

"It appears that under authority of "the Government granted in the year 1817 "to put up lands for sale, as soon as the Kists due "thereon fall into arrear, without waiting till the "end of the fusly, instructions were issued to Collec- "tors by the Board of Revenue which under the "retrospective operations of Clause first Section "II Regulation III of 1830 (applicable to Lands of "every description) would if given to the Collectors of "Canara previously to the sales, the subjects of "dispute, have legalized such sales, as being "of pre-fusly, on account of a due "arrear of the current fusly 1232".

"In order that no doubt may exist "as to whether, or not instructions of this nature "had been given by the Board of Revenue, with the

"the permission of the Governor in Council to "Mr. M. S. Harris, the Court of Sudr Udalut "direct that the Provincial Court do call "upon the present Principal Collector to certify "to that point, after due examination of records".

"Should it prove that the then "Collector of Canara had such authority, the "particular objection taken by the Provincial "Court with reference to Clause fifth Section "XIII, Regulation XXVII of 1802 will become "irrelevant".

In conformity to these instructions the Principal Collector having been called upon to certify to the point indicated, he reported his inability to do so in consequence of the destruction of the records of his Office in the insurrection in 1837 but that he had applied to the Board of Revenue for a copy of the instructions that may have been issued to Collectors in 1817 with to regard to the sale of lands for arrears of Revenue; and subsequently, on the 6th July 1840, his Vakeel filed a copy of a Circular Letter from the Board to Collectors dated 15th December 1817, authorising in the cases therein specified the sale of estates before the expiration of the Fusly year, and directing in every case of a sale being ordered, the transmission

to the Board of its fair copy of the usual advertisements according to the forms thereunto sent, for the signature of the Secretary, it being provided that the time of sale should always be at least 60 days from the date of dispatch of the copy of the Advertisement.

With regard to this Circular even supposing it to have been sent to Mr Collector Harris, of which there is no proof, the Principal Collector has not only declared his inability in consequence of the destruction of the Kuzzoor records) to state whether any Advertisement was sent to the Board when the sale of the Estate in Litigation was ordered, but has even furnished the Court with a copy of a Letter (dated 24th of January 1841) from the Secretary to the Board, stating that no such advertisement can be traced in the records of their Office - He has moreover admitted it to be out of his power to prove that between the date of the said Circular and that of the sale of the lands it was the practice of this Office to transmit to the Board Advertisements of the sale of Lands. - It would seem therefore that the assertion in the Petition presented to the Assistant Judge on the 9th July 1833 by the Vakeel of the Supplemental Respondent Mr Vivian, former of the present Principal Collector

Collector predecessors who have successively defended this suit, was made advisedly that the then Collector had received no order either from Government or Board of Revenue to sell the lands as it had never been the custom to obtain orders from higher authority to sell the lands of defaulters - And it must be borne in mind that when this assertion was made, the records of the Office were in existence.

Thus it would appear that there is nothing whatever to shew that the sale of the Special Appellant's land was authorised by the Board of Revenue at the period when it took place - It was therefore illegal on this ground alone, and consequently cannot be upheld.

It now remains to consider the objection taken by the Principal Collector to the value put by this Court (in their former Decree) upon the estate with reference to the terms of the first proclamation, on which point he has stated that he was prepared to "adduce proof from the "Revenue Accounts, that the assertions between "the rent and Assessment in the first proclamation arose from the error of the native servants, the accounts of the produce of estates being then not

nationally kept; and that "the accounts of late
"years showed that the Principal Collector's second
"estimate was as nearly accurate as possible".-
As Revenue Accounts the Principal Collector
has accordingly filed the Cuttay of Doarmooty
1841-2
and the Ayzmaish Putty of Tusly 1242 / 1832 Fusly
Survey Statements
sides that of the authenticity of the first
document there is no proof whatever, it not
being even attested by any public Officer, and
that the two Witnesses Viz.s the Shanbogue
Unnapoo and the Patail Narainna Bhut, cited
to prove the seconds have admitted that it
was not drawn up on actual survey, but as
the Witness Unnapoo asserts according to the
statement of Ravetla Kumpty, (by whom the
land in litigation was purchased when
sold by the Collector) and with reference to
survey accounts prepared in the preceding
Fusly by the former Shanbogue, the Court
have been unable to discover in these
documents any evidence whatever either
that the proportion between the rent and
assessment in the first proclamation was
erroneous, or that the Statement of the pro-
duce as entered in the second proclamation
is correct.-

The first proclamation, it should
be observed, was founded on the Statement of
the

produce which was filed (Exhibit B) in
the Original Suit by the 1st Defendant
the Shanbogue Krishnaya, and which
in his examination as a Witness for the
Principal Collector on the rehearing of this
Special Appeal the same person has
admitted was prepared after reference to the
former Survey Accounts, as indeed is stated
on the face of the document itself, and
it is remarkable, that through in the
motion for a review of judgment it was
objected that the Court ought not to have
have relied on this document inasmuch
as it was a Shanbogue's account, the Princi-
pal Collector has since adduced nothing
better than another account of a Shan-
bogue to shew its inaccuracy, Viz.s the Ayz
maish Putty of 1242. The Court therefore
see no reason why they should discredit
Exhibit B as valid evidence of the produce
more particularly as it is not probable
that the Circar Servants would then
exaggerate its amount, and as the account
is unfavorable to the Plaintiff inasmuch
as the whole of the Byle Land is class
as Mujid.-

With regard to the seconds pro-
clamation the Court observe in the first place

place that the Beejavary specified in this order-
=ence of that of the portion sold to Ekkar Buswa
Shetty which Exhibit B shews to be Byle Moodis
3 and Bettas 3½ — which added will give a total
of Moodies 3½ and 6 Kanays, which exceeds
that of the year Doornooty by 2½ Moodies
1801/2
This excess as well as the difference between the
classification of the different sorts of land shows
little dependance can be placed on these ac-
=counts. Again the Beejavary and the number of
Garden trees in the seconds proclamation agreed
the like items in the survey account of Fusly
Moodies
1242 by 7½ and 6 Kanays and 81 trees, whereas
the produce in the latter account exceeds that
in the former by 3 fanams and 1 punam, but
Exhibit B shews in a Memorandum subjoined
to it that Byle land had been classed as
Mujul, and the total Mujul & Bettas culti-
=vated is therein stated to be 20½ Viz. Mujul
Moodies
10½ producing Koons 1½ at the respective rate
of Koons 1—6—9—1—6—4 & 1—6—2 per Moody
and Bettas 10 producing Koons 6—6— at the
Moodies
respective rates of —4—8 and —5— per Moody
giving a total of produce of Koons 22—6—10
with Koons 2—6—1 being the estimated
produce of the waste land and Koons
3—6 the rent of the Garden trees making a
grand

grand total of Koons 28—6—5 notwith-
standing which an excess of 2½ Moodies in
land and 81 Garden trees is still observable
in Exhibit B. over those items in the
Survey Account of Fusly 1242. Moreover
the rates specified in the latter ac-
count are Koons 2½ and 2 for a Byle
Moody, 1½ Koon for a Mujul Moody
and Koon 1 and 5 fanams for a Bettas
Moody and no waste land is shewn in it
If Koon 1—8—5¼ being the rent of 2½
Moodies which is the cultivated excess
in the Exhibit B. distributed as follows
in the Exhibit B. viz. Mujul 1¼ Moodies and 5
Byle 10 Kanays Mujul 1¼ Moodies and 5
Kanays and Bettas 2 Moodies and Koons 2 being
the rent of the 81 Garden trees the excess
in the same exhibit making a total as
Koons 3—8—5¼ be added to Koons 29 the
produce given for Fusly 1242 it will give
a grand total of Koons 32—8—5¼ or
Rupees 131—1—32½ from which the
assessment being deducted, there will
remain a balance of Rupees 40—22½
which falls short by the net produce
allowed by the former Decree Viz.
Rupees 43—1—8 by Rupees 3—35½ but if
the estimated produce of the waste
land specified in the Exhibit B. Viz.
Koons

Fs m
Hoons 2 5 1 or Rupees 10 — 11 be added
to the said sum of Rupees 40 — 22½ it
will make a total of Rupees 50 — 32½ 8
exceed the net produce allowed by the
Decree by Rupees 6 — 3 — 2 4½

The next point involved
the former Decree has been impugned
by the Principal Collector in its awarding
to the Special Appellant the arrears
of net produce with compound Interest
and in para 8 of their proceedings of
23rd March 1840 the Judges of the Sudr
Udalut observed that if the Provincial
Court should adhere to that computa-
tion of Interest it will be necessary
for that Court to shew that it is
not barred by the provisions of
Section V Regulations XXXIV
of 1802 The Provincial
Court have again attentively
considered this point
and are of opinion that
they are entirely justified in
adhering to their original award
As regards the Section of the
Regulations referred to by the Sudr Udalut
it

it appears to the Provincial Court that it
cannot apply to the present case, as it declares
only that the Courts shall not decree compound
Interest on intermediate adjustments of accounts
The Provincial Court required the Principal
Collector to restore the land, and account
for its produce, and as that produce might have enabled the
Plaintiff (Special Appellant) to maintain
herself, it was considered but just to
allow compound interest to meet the
interest which she had had to pay for
what she must have raised for her
maintenance in default of such produce
or to recompense her for the loss of that
which might have accrued on savings.

It was urged by the Acting
Principal Collector (Mr. E Maltby) in his
motion for a review of Judgment, as one
ground on which review was called for, that
by this Court's Decree the Principal Collector
had been improperly directed to pay Costs
on Rupees 1,600 the value put upon the estate by
the Plaintiff. The Court therefore deem it right
to point out in the present Decree, that such
was not the fact. The Costs were calculated,

according

according to the Regulations with reference to the produce only, not the produce stated in the original Plaint, but that which was fixed by the Court in their Decree, viz.: Rupees 43-1-8 or including the assessment Rupees 134-2-18 which fell short of the produce stated in the Plaint by Rupees 105-3-82. It has been discovered that in drawing out the statement of Costs exhibited in the former Decree, it was omitted to debit the Special Appellant and to credit the Principal Collector with a proportion of the Costs on the amount of this differences. In the subjoined statement of Costs this omission has been supplied.—

It only remains for the Court to decree that the Principal Collector of Canara shall pay to the Special Appellant Rupees 1582-89¾ according to the following calculation Viz.:

Net produce of the land on estimate made by the Revenue servants on the first attachment, for eighteen years, with Interest at 12 per Cent for seventeen years is Rupees 2412 | 1 | 13

Deduct.

Amount of arrear declared in the Proclamation with like Interest --- 850 | " | 23¾

Balance — 1562 | " | 89¾

as per particulars in the subjoined account, and that the land sold and now sued for be restored to her, the Principal Collector repaying to the purchaser the amount received from him.—

For any claim which the Special Appellant may have against the 2d Defendant in the Original suit. (Vitla Cumpity.) for having caused the arrear which induced the Principal Collector to attach her land, (to which she can add one for damages) she ought to prefer a separate suit as such is immaterial to the issue of the question between her and the Principal Collector as to the propriety of the sale of her land.

The value of surplus produce with Interest due to her, renders it unnecessary to declare that any portion of the land should be now withheld from her, as the arrear with Interest can be made good from it.

As more than eighteen years have elapsed since the property was sold, the Court conceive that no satisfactory evidence can be obtained as to the value of the buildings on the land, and the Court therefore decree that

that the Principal Collector shall further pay the value set upon them in the plaint, viz.t Rupees 200 without Interest,

The Court adjudge that the 1st 2d 1, 2, 3, and 5th Respondents shall pay their own Costs, and that the 6th Respondent shall pay his own and the 4th Defendant's, and those of Special Appellant, except on the sum of Rupees 202-11-90 which she has not proved to be due, and concerning which a separate trial with the 3d Defendant alone appears necessary, and Rupees 105-3-82 the difference between the amount of the produce stated in the plaint and that which the Court has considered to be proved, as explained above.

	Costs.		
Stamp duty on institution, under Section XIII Regulation XIII of 1816 which would have been required, had the Special Appellant not been permitted to sue as a Pauper	32	"	"
Fee of the 6th Special Respondent's Pleader under Section XXV Regulation XIX of 1816.	32	"	40
Value of Stampt paper that would have been required for Petitions &c.a filed by the Special Appellant	22	"	"
Ditto filed by the 6th Special Respondent	52	"	"
Stamp duty on Exhibits filed by ditto	22	"	"
Batta paid to the Witnesses for the 6th Respondent	8	"	"
Total	168	"	40
Costs incurred in the original Suit and in Appeal	206	3	14

Of the above Costs in three Courts, those of the Special Appellant amount to Rupees 216-1-80. from which deducting Rupees 104-2-98. the proportion of Costs payable by her on Rupees 308-72. the amount disallowed, viz.t Rupees 202-90. the amount for which she should sue the 3d Defendant, and Rupees 105-3-82. the produce not proved, leaves a balance of Rupees 113-2-82, from which deducting Rupees 66-2-88. being the proportion of Costs incurred by the 6th Special Respondent in the Appeal and Special Appeal on the amount disallowed, leaves a balance of Rupees 46-3-94. which is to be paid by him to the Special Appellant,

The 6th Special Respondent to pay to the 4th Special Respondent Rupees 2-2 on account of his Stamps.

The Special Appellant to pay to Government, when the amount adjudged to her is recovered from the 6th Special Respondent Rupees 154-1. the Stamp duty on institution and value of Stamps, and to her Pleaders in the Original suit and in appeal Rupees 64-"-80. on account of their fees.

Given

Given under our hands and the
Seal of the Court, this 3d day of September 1841

Signed and Sealed
this 7th September 1841.

/Signed/ J. Vaughan
1st Judge

/Signed/ J. Vaughan.
1st Judge for Register.

/Signed/ W. B. Anderson
2d Judge.

Exhibits Fee filed in
Court: Petition of Special appeal on plain paper
1. Declaration by Vakeel Unnajee Row, of his
opinion that the appeal was not sustainable 1.
Petition presented by the Special Appellant
counter to the said opinion 1. Notice to the
Special Respondents 2. Vakalatnamah filed
by the 6th Special Respondent 1. Answer 1. Proclamation affixed in the Court House 1. Examination of the Special Appellant 1. Ditto of the
6th Special Respondents Vakeel 1. Exhibit filed
by the 6th Special Respondents Vakeel 1. Petition
to file the same 1. Zillah Court Proceedings 1. Petition of Summary appeal 1. Notice to the Special
Appellant 1. Answer filed by the 6th Special
Respondents Vakeel 1. Petition presented by ditto
praying to receive his oral and documentary evidence
1. List containing the names of 6 Witnesses filed
by ditto 1. Exhibits filed by ditto 10. Petitions to file
the 5 Summonses issued to the 6th Special Respondents

Witnesses

Witnesses 6. Examinations held of them 6. Lists
on plain paper containing the names of 3.
witnesses filed by the Special Appellant 2. Examinations
held of them 3. Petition presented by the 6th Special
Respondents Vakeel to the effect that the land,
the cause of action, does not produce more than
is specified in the Proclamation 1. Petition on
plain paper presented by the Special Appellant
counter to the said Petition 1. Petition presented
by the 6th Special Respondents Vakeel in reply
to the one presented by the Special Appellant 1. Petition
presented by the 6th Special Respondents Vakeel
stating that owing to the destruction of the records it
is not possible to ascertain whether a copy of the first
proclamation was sent to the Revenue Board 1. Petition
presented by ditto stating that the land, the cause
of action, was sold for 382 Rupees with its mortgage
and detailing other points 1. Receipt granted by
the 6th Special Respondents 2. Witnesses for
the batta paid to them 1. Total 56.

Interest has been calculated as follows.

	Rs	gs	as
Net produce for Fusly 1233.	43	1	8
Interest on ditto at 12 per cent. Fusly 1234	5		1 6½
Carried over Rupees	48	1	14½

	Rs	gs	as
Brought over Rupees	48	1	84½
Net produce for Fusly 1234	43	1	8
	91	2	92½
Interest on ditto	11	"	4
	102	2	96½
Net produce for Fusly 1235	43	1	8
	146	"	4½
Interest on ditto	17	2	9
	163	2	13½
Net produce for Fusly 1236	43	1	8
	206	3	21½
Interest on ditto	24	3	27
	231	2	48½
Net produce for Fusly 1237	43	1	8
	274	3	56½
Interest on ditto	32	3	95
	307	3	51½
Net produce for Fusly 1238	43	1	8
	351	"	59½
Interest on ditto	42	"	55½
	393	1	15
Net produce for Fusly 1239	43	1	8
	436	2	23
Interest on ditto	52	1	55
Carried over Rupees	488	3	78

	Rs	gs	as
Brought over Rupees	488	3	78
Net produce for Fusly 1240	43	1	8
	532	"	86
Interest on ditto	63	3	46
	596	"	32
Net produce for Fusly 1241	43	1	8
	639	1	40
Interest on ditto	76	2	88
	716	"	28
Net produce for Fusly 1242	43	1	8
	759	1	36
Interest on ditto	91	"	48
	850	1	84
Net produce for Fusly 1243	43	1	8
	893	2	92
Interest on ditto	107	"	99
	1000	3	91
Net produce for Fusly 1244	43	1	8
	1044	"	99
Interest on ditto	125	1	23
	1169	2	22
Net produce for Fusly 1245	43	1	8
	1212	3	30
Interest on ditto	145	2	15
Carried over Rupees	1358	1	45

Fort St. George 9th December 1841.

Brought over Rupees	1,358	45
Net produce for Fusly 1246	43	1 8
	1,401	2 53.
Interest on ditto	168	" 77
	1,569.	3 30.
Net produce for Fusly 1247	43	1 8.
	1,613.	" 38.
Interest on ditto	193.	2 26.
	1,806	2 64
Net produce for Fusly 1248	43.	1 8.
	1,849.	3 72.
Interest on ditto	221	3 96
	2,071.	3 68.
Net produce for Fusly 1249	43.	1 8.
	2,115	" 76.
Interest on ditto	253	3 29
	2,369.	" 5.
Net produce for Fusly 1250	43.	1 8.
	2,412.	1 13.

Deduct.

Amount due as Stated in the Proclamation Sicca Rupees 26-1-11 or Rupees	104	3 "
Compound interest on ditto from the 19th March of Fusly 1232 the date of the Proclamation to the 5th September 1251 being 13 years 5 months and 16 days at 12 per cent	745	1 23¼
	850.	" 23¼
Balance Rupees	1,562.	" 39¾

/True Copy/
/Signed/ H. Morris.
Acting 3d Judge for Regr.

Resolved.

Fort St. George 9th December 1841.

Resolved that the Decree received with the above letter be transmitted to the Board of Revenue for their information and for any observations they may have to offer in reference to the previous correspondence on the subject indicated in the margin.

From the Bd of Revr 1st April 1829. No 138		
From — do. — 18th May — " — " 202		
Order of Govt thereon 4th June " — " 705.		
From the Bd of Revr 8th August " — 344		
Order of Govt thereon 21st — " — " 1,056.		

/ signed / Walter Elliot.
A.J. Sect. to Govt.

Read also the following letter.

To The Secretary to the
Board of Revenue
Fort St. George.

&c &c &c

10

From the Pl. Collector of Candra — &c

To Bd 13th July 1839.	
" — ditto 1st Augt "	
From ditto 2d Septr —	
Copy sent to Board 27th May 1840.	

Stating that the Provincial Court on the review of Judgment in the case of Korapullo directed by the Sudr Udalut have adhered to their former decision against the Collector, though on grounds totally different from that on which their former Decree was founded, and transmitting draft of a Motion to be presented to the Court of Sudr Udalut praying for a revision of the

In reference to the correspondence noted in the margin I have the honor to state for the information of the Board, that the Provincial Court on the review of Judgment in the case of Korapallo, directed by the Sudr Udalut in their Proceedings under date the 23d March 1840, have adhered to their former decision against the Collector, though on grounds totally different from those on which their former decree was founded.

J.

Fort St. George 9th December 1844.

Judgment of the Provincial court.—

3d Sept.r 1844

I have the honor to transmit herewith copy of the Decree now passed by the Court in the Case in question, together with the correspondence that has since taken place between the Zillah Judge and myself on the subject.

From the Judge 2d October 1844.
To the Judge 4th D.o "
From the Provincial Court 11th D.o

As the grounds on which the Provincial Court have now declared the sale to be illegal appear to me to be perfectly indefensible, and the decision in the highest degree unjust towards the Government and likely if allowed to stand, to affect the validity of other sales in Canara for arrears of Revenue. I have though that the Board would deem it necessary to adopt measures for bringing the matter again before the highest Court.—

With this view I have prepared a draft of a motion to be presented in the Court of Sudr Adalut praying for a revision of the Judgment of the Provincial Court which I have the honor herewith to submit for the consideration of the Board.—

I have been unable for several reasons, to forward the enclosed Petition earlier and as the time allowed by the Provincial Court for the appeal has

Fort St. George 9th December 1844.

expired, I have applied to the Court for a further suspension of the execution of the decree, until the instructions of the Board for my guidance can be received.

Canara,
Prin.l Coll.r Cutchery,
On Circuit, Soolia,
20th November 1841.

/Signed/ H. M. Blair
Principal Collector.

No. 1.

Western Division.

(L. S.)

No.s of the Original Suit on the File of the Zillah Court of Canara.—	No. in Appeal before the Assistant Judge of the Udalut.—	No. on the File of the Provincial Court in Appeal.
107. of 1824.	2. of 1826.	16 of 1837.
Korapulloo. (Pauper)	Korapulloo (Pauper)	Korapulloo (Pauper)
Versus.	Versus.	Versus.
1 Krishniya.	1 Krishniya —	1 Krishniya
2 Venkatramanaya.	2 Venkatramanaya	2 Venkatramanaya
3 Villa Cumtee.	3 Villa Cumtee	3 Villa Cumtee
4 Rowluppa	4 Rowluppa	4 Rowluppa
5 Moodooraja	5 Moodooriyah ✗	5 Moodooriyah
	Supplemental Respd.ts	6 H. Lewin Esq.r
	H. S. Cameron. Esq.r	late Coll.r of Canara
	Prin.l Coll.r of Canara	and subsequently his
	and Subsequently his	Successor C.
	successors	Malloy Esq.r Prin.l
	H.s Vincent Esq.r	Coll.r and H. M. Blair Esq.r
		Prin.l Coll.r of Canara.

Decree of the Provincial Court.

The special Appellant seeks the

the reversal of a Decree of the Assistant Judge of the Udalut of Canara, confirming a previous decision by the Register which dismissed her claim to recover a land with the house &c. thereon of the alleged Annual produce of Hoons 60-1-4. and bearing an Annual Assessment of Hoons 22-8-3. which as she asserts were illegally sold for arrears of Revenue amounting to Hoons 26-1-14.

Under date the 18th January 1839, the Provincial Court passed a Decree pronouncing the sale irregular with reference to the Provisions of Sec. V. and clause fifth, Sec. XIII. Regulation XXVII of 1802 and adjudging the Principal Collector of Canara (the special Respondent) to pay to the special Appellant Rs. 1727-1-83 f. &c. on account of arrears of produce, and that the land be restored to her - the Principal Collector repaying to the purchaser

the amount received from him &c. &c. as detailed in the Decree.

An Application for a review of that Judgment having been made by the Principal Collector in a Petition for 1839. presented under date the 20th May 1840. it was rejected by the Provincial Court for the reasons recorded in their Proceedings of the 28th June following. Upon which that Officer appealed to the Sudr Udalut, and the Judges of that Court in their Proceedings under date 23d March 1840. directed that the said Decree be recalled and cancelled for irregularity, and that the Appeal No. 16. of 1839 be revived in order to its' reconsideration and eventual Judgment denovo. One of the grounds of this order was stated to be that the view taken by the Provincial Court of the merits of the Cause had resulted from an erroneous construction of the Regulations.

The following is an Extract from the said Proceedings of the Sudr Udalut.

"It appears that under authority

Fasly Year, and directing in every case of a sale being ordered, the transmission to the Board of a fair Copy of the usual Advertisement, according to the form therewith sent, for the signature of the Secretary, it being provided that the time of sale should always be at least 50 days from the date of dispatch of the Copy of the Advertisement.

With regard to this Circular, even supposing it to have been sent to Mr. Collector Harris, of which there is no proof, the Principal Collector has not only declared his inability (in consequence of the destruction of the Huzoor records) to state whether any Advertisement was sent to the Board when the sale of the Estate in litigation was ordered, but has even furnished the Court with Copy of a letter (dated 27th January 1841) from the Sub Secretary to the Board stating that

no such Advertisement can be traced in the records of their Office. He has moreover admitted it to be out of his power to prove that between the date of the said Circular and that of the sale of the land, it was the practice of his office to transmit to the Board Advertisements of the sale of lands. It would seem therefore that the assertion in the Petition presented to the Assistant Judge on the 9th July 1833. by the Vakeel of the supplemental Respondent Mr. Vincash (one of the present Principal Collectors' predecessors who have successively defended this Suit) was made advisedly, that the then Collector had received no order either from Government or the Board of Revenue to sell the land, as it had never been the custom to obtain orders from higher authority to sell the lands of defaulters, and it must be borne in mind that when this assertion was made the

records

Records of the Office were in existence.

Thus it would appear that there is nothing whatever to shew that the sale of the Special Appellants' land was authorized by the Board of Revenue at the period when it took place. It was therefore illegal on this ground alone, and consequently cannot be upheld.

It now remains to consider the objection taken by the Principal Collector to the value put by this Court (in their former Decree) upon the Estate with reference to the terms of the first proclamation, on which point he has stated that he was prepared to adduce proof from the Revenue Accounts, that the proportion between the rent and assessment in the first proclamation arose from the error of the Native Servants, the accounts of the produce of estates being then not usually kept, and that

Accounts

Accounts of later Years shewed that the Principal Collector's second estimate was as nearly accurate as possible. As Revenue Accounts, the Principal Collector has accordingly filed the Chitta of Doornooty and the Aymaish Putty of Fusly 1242 (1801/2), but besides that of the authenticity of the first document, there is no proof whatever, it not being even attested by any public Officer, and that the two witnesses Viz.t the Shanbogue Unnuspa and the Polaie Narain Bhutt cited to prove the second have admitted that it was not drawn up on actual survey, but as the witness Unnuspa asserts, according to the Statement of Ramulla Cumpty (by whom the land in litigation was purchased when sold by the Collector) and with reference to a survey Account prepared in the preceding Fusly by the former Shanbogue, the Court have been unable to discover in these documents

documents any evidence whatever either that the proportion between the rent and assessment in the first Proclamation was erroneous, or that the Statement of the produce as entered in the second Proclamation is correct.-

The first Proclamation, it should be observed, was founded on the Statement of the produce which was filed (Exhibit B.) in the original Suit by the 1st Defendant, the Shanbogue Krishnaya and which in his examination as a witness for the Principal Collector, on the rehearing of this special Appellant, the same person has admitted was prepared after reference to the former Sircar Account as indeed is stated on the face of the document.-

document itself, and it is remarkable that though in the Motion for a review of Judgment it was objected that the Court ought not to have relied on this document inasmuch as it was a Shanbogue's account, the Principal Collector has never adduced nothing better than another account of a Shanbogue to shew its inaccuracy, Viz. the Aymash of 1242.- The Court therefore see no reason why they should discredit Exhibit B as valid evidence of the produce more particularly as it is not probable that the Shanbogue would then exaggerate the amount, and as the account is unfavorable to the Plaintiff in as much as the whole of Byle land is classed as Nunjul.-

With regards to the second Proclamation, the Court observe

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observe in the first place that the Beejawary specified in it, as exclu=sive of that of the portion sold to Ekhor Buowa shetty, which exhibit B shew to be Byle Moodies 3 and Betto 3/4 which added will give a total of Moodies 3 1/2 and Hannays 5. which exceeds that of the year Doormooty by 2 1/4 Moodies. This 1801/2 excess as well as the difference between the classification of the different sorts of land shew how little dependence can be placed on these accounts. Again the Bee=jawary and the Number of Garden trees in the second Proclamation exceed the like items in the survey accounts of Fusly 1242. by 7 1/4 Moodies and 5 Hannays and 81 trees, whereas the produce in the latter account exceeds that in the former by 3 Fanams and 1 Anna, but exhibit B shews

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in a Memorandum subjoined to it that Byle land had been classed as Nunjul and the total Nunjul and Betto cultivated is as therein stated to be Moodies 20 1/2 Viz. Nunjul 10 1/2 producing Hoons 17. at the respective rates of Hoons 1-6-9-1-6-4 and 1-0-2. per Moodie and Bettoo 10 Moodies producing Hoons 5-6-. at the respective rates of Hoons 1-7-8 and -.-5-. per Moody, giving a total of produce of Hoons 22-6-10 with Hoons 2-5-1. being the estima=ted produce of waste land and Hoons 3-5-. the rent of the garden trees, making a grand total of Hoons 28 6-15. notwithstanding which an excess of 2 1/2 Moodies in lands and 81 Garden trees is still observable in exhibit B. over those items in the Survey account of Fusly 1242.

Moreover the rate specified in the

latter

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latter account are Hoons 2½ and 2 Fs. for a Byle Moody, 1½ Hoon for a Mujjul Moody, and Hoons — 1 and 5 Fanams for a Bettoo Moody and no waste land is shewn in it. Of Hoon 1 — 8 — 5¼ being the rent of 2½ Moodies which is the cultivated excess in the Exhibit B. distributed as follows. Byle 10 Hannays, Mujjul ¼ Moody and 5 Hannays, and Bettoo 2 Moodies, and Hoons 2. being the rent of the 81 Garden trees, the excess shewn in the same exhibit, making a total of Hoons 3 — 8 — 5¼ be added to Hoons 29. the produce given for Fusly 1242, it will give a Grand total of Hoons 32 — 8 — 5¼ or Rupees 131 — 1 — 32½ Sicca Rs. from which the assessment being deducted, there will remain a balance of Rupees 40 — a — 22½ which falls short of the Net produce allowed by the Former Decree Viz.th Rupees 43 — 1 — 8 Pa. by Rupees 3 — a — 8 5½ Kas. but if the estimated produce

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of the waste land specified in the Exhibit B Viz.th Hoons 2 — 5 — 1 or Rupees 10 — a — 10. Rent be added to the said sum of Rupees 40 — a — 22½, it will make a total of Rupees 50 — a — 32½ and exceed the Net produce allowed by the Decree by Rupees 6 — 3 — 24½.

The Next point in which the former Decree has been impugned by the Principal Collector, is it's awarding to the special Appellant the arrears of the Net produce with compound interest, and in Para 8 of their Proceedings of the 23rd. March 1840. the Judges of the Sudr Udalut observed that if the Provincial Court should adhere to that computation of Interest, it will be necessary for that Court to shew that it is not barred by the provisions of Sec V. Regulation XXXIV. of 1802. The Provincial Court have again attentively considered this

this point, and are of opinion that they are entirely justified in adhering to their original award - As regards the section of the Regulations referred to by the Sudr Adawlut, it appears to the Provincial Court that it cannot apply to the present case, as it declares only that the Court shall not decree compound Interest on intermediate adjustments of Accounts - The Provincial Court required the Principal Collector to restore the lands and account for its produce, and as that produce might have enabled the Plaintiff (Special Appellant) to maintain herself, it was considered but just to allow compound interest to meet the interest which she had had to pay for what she must have raised for her maintenance in default of such produce, or to recompense her for the loss of that which

might have accrued on savings.

It was urged by the Acting Principal Collector (Mr. C. Maltby) in his motion for a review of Judgment, as one ground on which the review was called for, that by this Court's decree the Principal Collector had been improperly directed to pay costs on Rupees 1,500, the value put upon the Estate by the Plaintiff - The Court therefore deem it right to point out in the present decree that such was not the fact - The costs were calculated according to the Regulations, with reference to the produce only, not the produce stated in the original Plaint, but that which was fixed by the Court in their Decree, viz^t, Rupees 43-1-8 - or including the assessment (Rupees 134-2-18 - which fell short of the produce stated in the Plaint by (Rupees 105-3-82

It

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It has been discovered that in drawing up the Statement of costs exhibited in the former decree, it was omitted to debit the special Appellant and to credit the Principal Collector with a proportion of the costs on the Amount of this difference. In

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In the subjoined Statement of Costs this omission has been supplied.

It only remains for the Court to decree that the Principal Collector of Canara shall pay to the special Appellant Rupees 1,562 — u — 89 3/4 according to the following calculation. Viz^t: net produce of the land on estimate made by the Revenue Servants on the first attachment for eighteen years, with Interest at 12 per cent for seventeen years, is Rupees ——— 2,412 — 1 — 1 3/4

Deduct amount of arrear declared in the Proclamation with like Interest ——— 850 — u — 23 1/2

Balance — 1562 — u — 89 3/4

as per particulars in the subjoined account, and that the lands sold and now sued for be restored to her, the Principal Collector repaying to the purchaser the amount received from him.

For any claim which the special Appellant may have against the

Fort St. George 9th December 1841.

the 3rd Defendant in the original suit (Vittala Cumpty.) for having caused the arrear which induced the Principal Collector to attach her land. (to which she can add one for damages.) she ought to prefer a separate suit, as such is immaterial to the issue of the question between her and the Principal Collector as to the propriety of the sale of her land.-

The value of surplus produce with Interest due to her, renders it unnecessary to declare that any portion of the land should be now withheld from her, as the arrear with interest can be made good from it.-

As more than eighteen years have elapsed since the property was sold, the Court conceive that

Fort St. George 9th December 1841.

that no satisfactory evidence can be obtained as to the value of the buildings on the land; and the Court therefore decree that the Principal Collector shall further pay the Value set upon them in the Plaint viz.th Rupees 200 without Interest..

The Court adjudge that the 1st. 2d. 3d. & 5th Respondents shall pay their own costs, and that the 6th Respondent shall pay his own and the 4th Defendant and those of the Special Appellant except on the sum of Rupees 202-4-90. which she has not proved to be due, and concerning which a separate trial with the 3rd Defendant alone appears necessary, and Rs. 105-2-82 the difference between the amount of the produce stated in the plaint and that which the Court have considered to be proved, as explained above.-

Costs

Costs.

Stamp duty on institution under Sec. XIII, Reg. XIII of 1816 which would have been required had the special Appellant not been permitted to sue as a Pauper		32	" "
Fee of the 6th Special Respondent's Reader under Sec: XXV, Regulation XIV of 1816		32	" 40
Value of Stampt paper, that would have been required for Petitions &c filed by the Special Appellant		22	" "
Ditto filed by the 6th Special Respondent		52	" "
Stamp duty on Exhibits filed by Do		22	" "
Batta paid to the witnesses for the 6th Respondent		8	" "
	Total	168	" 40
Costs incurred in the original suit and in the Appeal		206	3 64

Of the above costs in three Courts, those of the special Appellant amount to Rupees 218-1-80, from which deducting Rupees 104-2-98, the proportion of Costs payable to her on Rupees 308-4-72 the amount disallowed viz. Rs. 202-4-90 the amount for which she should sue the 3d Defendant, and Rupees 105-3-82, the produce not proved, leaves a balance of Rupees 113-2-82, from which deducting Rupees 66-2-88, being the proportion of costs incurred by the 6th Special Respondent in the Appeal & Special Appeal on the amount disallowed, leaves a balance of Rupees 46-3-94 - which is to be paid by him to the special Appellant.-

The 6th Special Respondent to pay to the 4th Special Respondent Rupees 2-2-- on account of his Stamps.

The Special Appellant to pay to Government, when the amount adjudged to her is recovered from the 6th Special Respondent, Rupees 154-1-4 the Stamp duty on institution and

value

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value of Stamps, and to her pleaders in the original Suit and in Appeals Rupees 64-0-80 on account of their fees.

Given under our hands & the Seal of the Court, this 3rd day of September 1841.-

Signed and Sealed this 17th September 1841.

/ Signed / J. Vaughan
1st Judge.

/ Signed / J. Vaughan
1st Judge for Register.

" W. B. Anderson
2d Judge.

Exhibits 9 filed in Court.

Petition of Special Appeal on plain paper 1. Declaration by Vakeel Ennajee Row of his opinion that the Appeal was not sustainable. 1. Petition presented by the Special Appellant Counter to the said opinion. 1. Notices to the Special Respondents 2. Vakalutnamah filed by the 6th Special Respondent 1. Answer 1. Proclamation affixed in the Court house 1. Examination of the Special Appellant 1. Do. of the 6th Special Respondent's Vakeel 1. Exhibit filed by the 6th Special Respondents Vakeel 1. Petition to file the same 1. Zillah Court's Proceedings 1. Petition of

Summary

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Summary appeal 1. Notice to the Special Appellant 1. Answer filed by the 6th Special Respondent's Vakeel 1. Petition presented by ditto praying to receive his oral and Documentary evidence 1. List containing the names of 6 Witnesses filed by Ditto 1. Exhibits filed by Ditto 10. Petitions to file the same 5. Summonses issued to the 6th Special Respondent's witnesses 6. Examinations held of them 6. List on Plain paper containing the names of three Witnesses filed by the Special Appellant 2. Examinations held of them 3. Petition presented by the 6th Special Respondent's Vakeel to the effect that the land, the cause of action, does not produce more than is specified in the Proclamation 1. Petition on plain paper presented by the Special Appellant counter to the said Petition 1. Petition presented by the 6th Special Respondent's Vakeel in reply to the one presented by the Special Appellant 1. Petition presented by the 6th Special Respondent's Vakeel stating that owing to the destruction of the records, it is not possible to ascertain whether a copy of the first proclamation was sent to the Revenue Board 1. Petition presented by Ditto stating that the land, the cause of action was sold for 382 Rs. with its Mortgage, and declaring other points 1. receipts granted by the 6th Special Respondent's two Witnesses, for the Batta paid to them 2. Total 50.-

Interest

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Interest has been calculated as follows.

	Rs	a	p
Net produce for Fasly 1233	43	1	8.
Interest on Do at 12 per cent. Fasly 1234	5	4	7 6/12
	48.	1	8 4/12
Net produce for Fasly 1234	43	1	8
	91	2	9 2/12
Interest on Do	11	4	4
	102	2	9 6/12
Net produce for Fasly 1235	43	1	8
	146	4	4/12
Interest on Do	17	2	9
	163	2	13/12
Net produce for Fasly 1236	43	1	8
	206	3	21/12
Interest on Do	24	3	27.
	231	2	48/12
Net produce for Fasly 1237	43	1	8
	274	3	56/12
Interest on Do	32	3	95
	307	3	51/12
Net produce for Fasly 1238	43	1	8
	351	4	59/12
Interest on Do	42	4	55/12
	393	1	15
Net produce for Fasly 1239	43	1	8
Carried over	436	2	23

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	Rs	a	p
Brought over	436	2	23.
Interest on Do	52	1	55
	488	3	78.
Net produce for Fasly 1240	43	1	8
	532	4	86
Interest on Do	63	3	46.
	596	4	32.
Net produce for Fasly 1241	43	1	8.
	639	1	40
Interest on Do	76	2	88.
	716	4	28.
Net produce for Fasly 1242	43	1	8
	759	1	36
Interest on Do	91	4	48
	850	1	84
Net produce for Fasly 1243	43		8
	893	2	92
Interest on Do	107	1	99.
	1,000	3	91
Net produce for Fasly 1244	43	1	8
	1,044	4	99.
Interest on Do	125	1	28.
	1,169	2	22.
Net produce for Fasly 1245	43	1	8.
	1,212	3	30.
Interest on Do	145	2	15
	1,358.	1	45
Net produce for Fasly 1246	43	1	8
	1,401	2	53
Interest on Do	168	4	77
Carried over	1,569.	3	30.

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	Rs	a	p
Brought over	1569	3	10
Net produce for Fusly 1247	43	1	8
Interest on Do	1073	"	30
	193	2	20
Net produce for Fusly 1248	1806	2	64
Interest on Do	43	1	8
	1849	3	72
Net produce for Fusly 1249	221	3	90
Interest on Do	2071	2	68
	43	1	8
Net produce for Fusly 1250	2115	"	76
	253	3	29
	2369	"	37
	43	1	8
	2412	1	13

Deduct.

Amount due as stated in the Proclamation as at
Rs 362—1—14 or Rupees — 104-3-4

Compound interest on Do from the 19th March of Fusly 1232 the date of the Proclamation, to the 3d September 1251 being 18 years 5 Months & 16 Days at 12 per Cent — 745=1-23¼ — 850 " 23¼

Balance Rupees — 1562 " 89¾

/Signed/ J. Vaughan
1st Judge.

/True Copy/
/Signed/ H. M. Blair
Pl Coll

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No. 2.

To The Principal Collector of
Canara.

Sir,

I have the honor to forward Copy of an Extract from the proceedings of the Provincial Court of Appeal under date the 22d Ultimo and to request you will be good enough to forward to me Rupees 1809-"—83¾ together with interest on the amount decreed from the 3d September 1841 to the date on which you may send the said sum to the Court.

Tellah Court,
Canara,
2d October 1841.

/Signed/ W. Lavie.
Judge

Extract from the Proceedings of the Provincial Court of Appeal in the Trichinopoly Division under date the 22d September 1841.

Present

In Revised S. A. No 16 of 1839

Mr Vaughan
1st Judge.

Korapullo / Pauper /

Mr Morris
Acting 3d Judge.

Versus

1 Krishnya : 2 Venkatramayya
3 Vitla Cumpter. 4 Ramachandra

Moodooriya

5 Medooriya and 6 M. Lewin Esqrs.
Principal Collector of Canara
and subsequently his Official
Successors D. Maltby Esqre. Actg.
Principal Collector. and H. M.
Blair Esqre. Principal Collector
of Canara..

The 6th Special Respondent by Vakeel Hyjeen Coolly.

Read Petition presented by the Special Appellant, praying execution of this Courts Decree in the said Cause..

Ordered that a Copy of the said Decree be sent to the Judge of Canara, and that he be by Precept directed to carry it into execution by causing the land sued for to be restored to the Special Appellant, and by levying from the 6th Respondent, the Principal Collector, and paying to the Special Appellant, the sum of

of Rupees 1,809 — 83 3/4. / one thousand eight hundred and nine, and rear. eighty-three and three quarters. Viz.t

Amount decreed	1562	"	89 3/4.
Value of the buildings on the land the cause of action.	200	"	"
Costs of Suit	46	3	94.
Rupees	1809	"	83 3/4

together with Interest on Rupees 1562 — 89 3/4 from the date of the Decree on special Appeal. (2d September 1841.) to the final execution thereof..

Ordered also that on obtaining the said money the Judge do take as due from the Special Appellant the sum of Rupees 218 — 1 — 80. (two hundred and eighteen, one quarter and eighty reas, and pay into the Principal Collectors Treasury — Rupees 154 — 1 — ". thereof, being the institution fee and value of stamps, inclusive

J.

of the Cost for one roll that would have been required for the motion for execution of the decree and the balance Rupees 64 a 80. to the Special Appellants' Pleader in the Original and Appeal Suits.-

Precept returnable in six weeks.

/ A true Extract. /
/ Signed / W. Morris.
Acting 3d Judge for Rgt.

(True Copy.)
/ Signed / W. Lewis.
Judge.

To The Judge of
Canara.

Sir,

I have the honor to acknowledge your letter of the 2d Instant forwarding copy of an Extract from the proceedings of the Provincial Court of Appeal under date the 22d Ultimo, directing the execution of that Court's decree in the suit of Korapullo Pauper, versus the Principal Collector and

and others, and in reply to your requisition to forward to your Court the sum of Rupees 1,809 — a 83 3/4. together with interest on the amount decreed from the 3d September 1841. to the date on which I may send the said sum to the Court. I beg to state that it is my intention to present a motion in the Provincial Court praying the Judges to suspend their orders for the decree being carried into execution, pending a reference which I am desirous of submitting to the Board of Revenue on the subject.-

2 I have the honor therefore to request that you will suspend any immediate proceedings in the case, until the receipt of further orders from the Provincial Court.-

Prind Coll's Catchy
Mangalore,
4th October 1841.

/ Signed / H. W. Blair.
Prind Coll.

Extract

Fort St. George 9th December 1841.

Extract from the Proceedings of the Provincial Court of Appeal in the Western Division under date the 11th October 1841.

Present
Wm. Vaughan
1st. Judge
Wm. Morris
acting 3d. Judge

Read again letter from the Judge of Canara dated the 5th. Instant. forwarding copy of one to his address from the Principal Collector of Canara requesting suspension of the execution of this Court's Decree in S.A. No. 16. of 1837. as he is about to make a motion to this Court for that purpose, pending a reference to the Board of Revenue.

1 The Government Vakeel being questioned states that though he dispatched a copy of the Decree to the Principal Collector on the 23d. ultimo he has not received any instructions for such an application.

2 It appears to the Court that after so long a protraction of

Fort St. George 9th December 1841.

of this case, the Principal collector ought to have no necessity for much time to set forth his views to the higher authorities, and that it is but justice to special appellant that the delay should be as short as may be absolutely necessary for him to obtain instructions.

3 The Court therefore trust that he will bear this in mind and expedite his reference, for which purpose a further delay of six weeks is granted in consideration of the novelty of the case.

4 Should there be any application for further time, the Court will expect a satisfactory explanation

explanation whereon to warrant a longer suspension of the enforcement of the Decree.-

Ordered that Extract from these Proceedings be sent to the Judge of Canara for his own information, and for Communication to the Principal Collector of Canara.-

/A true Extract./

/Signed/ H. Morris
Secty. 3d.

Judge
for Pr

To the Judge
of Canara.

/True Copies/
/Signed/ W Lavie.
Judge.

To The Principal Collector of Canara
for his information, with reference
to his letter of the 4th Instant.-

/True Copies/
/Signed/ H. St. Black
Principal Coll

No. 3.

Draft of a proposed Motion in the case of
Korapallos Special Appeal No. 10 of 1837.

On the 30th September 1839 the Principal Collector moved the Court of Sudr Adawlut to set aside a decree passed by the Provincial Court in the Western Division, the grounds upon which his motion was made were briefly, that the decree was founded upon an erroneous construction of the Revenue Regulations, that the Collector had not been called upon for proof in certain matters of fact which were decided against him, especially as to the value of the Estate and its produce, that compound interest had been awarded and that the Costs of the suit had been unfairly assessed.-

In the proceedings of the Sudr Court under date the 23rd March 1840 the Provincial Court were directed to review their judgment and the law was explained by the Sudr Court in conformity with the view which the Principal Collector had taken. The two points upon which the decree of the Provincial

Court

Fort St. George 9th December 1841.

Court was founded were set aside by these pro-
=ceedings which showed that neither the arrear
of a current fusly being included in the amount
levied was illegal, nor could the sale be rendered
void by the fact (even if proved) that a larger
portion of the land had been sold than would
realise the arrear.

In reviewing their judgment
the Court have abandoned entirely the grounds
upon which their former decision was passed
and have now decreed the sale to be illegal on
a different point, Viz^t that the sale of the land
was not authorized by the Board of Revenue,
upon this single ground they have again de-
=creed against the Principal Collector, and have
required him to pay the value of the proceeds at
the estimate of which he before complained and
upon this they have awarded compound interest.

As in the opinion of the Prin-
=cipal Collector this decree is not borne out
by the Regulations, or by the evidence as to
the value of the produce which was laid

Fort St. George 9th December 1841.

before the Court, he is again compelled to bring
the case before the Sudr Court. In doing so he
is anxious to avoid the intricacy which the length
of the proceedings has caused, and he believes that
the whole case now rests upon the point whe-
=ther a sale which has been otherwise legally
conducted for arrears due can be set aside on
the ground that the special sanction of the
Board for this particular sale cannot be proved.

The subordinate points are
1st the rate at which the produce has been Cal-
=culated 2nd the award of compound interest
and 3rd by the amount of the arrears to be Collected
1st.

The arguments the
Court make use of in support of their
decree are as follows.

First, that there is no proof
that the Circular order of the Board of Re-
=venue issued to Collectors in 181/ sanction-
=ing the sale of lands for arrears of Revenue was
given to Mr Collector Harris and 2nd, that the

Principal

Principal Collector is unable to prove, either from his own records or those of the Board of Revenue, that any advertisement as prescribed by the said Circular order, was sent to the Board when the sale of the Estate in litigation was ordered. The Court also further remark on the inability of the Principal Collector to prove that between the date of the Circular order and that of the sale of the land, it was the practice of this Office to send to the Board advertisement of the sale of lands, and that it would seem therefore that the assertion made by Mr Vivash a former Collector in a petition presented to the Assistant Judge in 1838, that no order either from Government or the Board of Revenue to sell the land in litigation had been received was made advisedly, as it had never been customary to obtain orders from higher authority to sell the lands of defaulters

To

To the first of these objections the Principal Collector must observe, that as the order of the Board of Revenue in 1817 was a Circular to all Collectors, no reasonable doubt can exist that it was sent to Mr Collector Harris, for it is inconceivable that the district of Canara should have been excluded from a general order equally applicable to it, as to all other districts. Although therefore, owing to the destruction of the Huzoor records, the receipt of the order cannot now be proved, the Principal Collector submits that there is not the slightest ground for the doubt which the Court has thrown on this point in its present decree.

The unavoidable presumption in such a case must be, that the order in question was sent to the Collector and the assertion of Mr Vivash in his Petition to the Court, that no order either from Government or the Board of Revenue to sell the land in litigation, had been received can only be taken to mean that no order to sell this land in particular was received, no such order being necessary

Under

Fort St. George 9th December 1841.

Under this Circular order, I sent to the Collector of Canara previously to the sale the said Adawlut have ruled that the sale would be illegal under the circumstances of the case. If therefore it be allowed that there is the strongest presumptive evidence that the said order must have been sent to Mr Harris, the objection raised by the Provincial Court on this point falls to the ground.

With respect to the advertisement which the Circular order of the Board abovementioned directs to be sent to the Secretary on the occasion of a sale of land taking place, although it is not in the Principal Collector's power at this time to prove that the advertisement in the case in question was sent, yet he conceives that the Court are not justified by the circumstances of the case, in assuming as a certainty that it was not sent. Admitting however that it could be shown even that the practice of sending advertisements to the Board did not prevail at that time, in the Collector of Canara's Office yet the Principal Collector must contend that such an omission

Fort St. George 9th December 1841.

omission ought by no means to be taken as a sufficient cause for vitiating the sale of the defaulter's land.

The Circular order simply directs the transmission to the Board's Office under a cover to the Editor to the Government Gazette, of a fair copy of the usual advertisement in the prescribed form, for the signature of the Secretary. This copy was for the purpose of being affixed in the Office of the Board of Revenue, an Extract from whose Proceedings directing its publication, with the date of sale being subsequently transmitted to the Collector as shown in the accompanying document. But it must be clear that the proclamations which by Section XI Regulation XXVI 1802 are directed to be affixed up in the Court Room of the Sudawlut of the Zillah in the Office of the Collector, and in the Principal town of the lands about to be sold, are the only notices which are necessary for the Defaulters, and for the persons who may intend to bid for the land. The copy to be affixed.

16th Novr 1839.

fyed in the Office of the Secretary to the Board in the case of small Estates, such as those in Canara must be considered as an Official form, the omis= =sion of which could in no degree prejudice the defaulter, or affect the validity of the sale; and it is to be observed that in the original Paint the special Appellant does not complain that due notice of the sale was not given, or any of the usual Conditions omitted. The Princi= =pal Collector must further observe, on this point that it is never Customary to place in the re= =cords the proclamations of the sale of Estates; if therefore the Provincial Court is of opinion, that the circumstances of the advertisement to be sent to the Board, when the sale of the Estate in litiga= was ordered, not being now forthcoming, is a sufficient Cause for setting it aside, with equal reason might any sale be annulled which took place 15 or 20 years ago, because the advertisement required to be fyed in the Court, or Collectors Office could not be produced, or be proved to have been so pub= =lished. It seems only necessary to state such an

an argument, as a refutation of it.

The Courts of Adalut in this Country are strictly Courts of Equity, and the Judges are bound to give judgment accord= =ing to the real merits of a case; and as in the case in question it is admitted that the arrears were due, and also that no collusion in the sale was proved, the Principal Collector must maintain that it was strictly and entirely legal; and that to set it aside at this time, on the extravagantly improbable supposition of the want of a Circular order, the absence of which is clearly accounted for, or the assumed omission of a form in no way affecting the interests of the defaulter, is a manifest injustice towards the Government, and calculated, to be productive of most mischievous Consequences.

Even if there is any mistake in the above points, and the Circular order is not to be considered as applicable to this case, the Principal Collector must call upon the higher Court to decide with reference to the regulations only, whether when the arrears were

Fort St. George 9th December 1841.

were actually due the sale legally and even indul-
gently conducted (V. the Assistant Judge's decree)
after due notice given, and thus the party having
suffered no wrong the absence of the special author-
ity from the Board for this particular sale
would justify the Court in declaring the sale void.

As this is a subject of great
moment affecting many other sales of Estates in
Canara for arrears of Revenue, the Principal
Collector begs to recall to the Court that the only
Clause in the Regulation that he is aware of is
contained in Section V. of Regulation XXVII of 1802 -
which declares that the Collector "under the authority
of the Board of Revenue" shall sell the land. The Court are
aware that this Regulation has been declared to have ref-
-erence to lands very different from those of Canara,
and he can hardly think that if without incurring the
Censure of the Board, the practice of putting these small
portions of land up to sale, without their special, but
with their implied sanction, had been established, a Court
of Equity is now entitled to disturb it. This point he must
leave to the decision of the Court, he must however, most
strongly urge that if the sale is set aside merely for the
want of this form (and this is the only

reason

Fort St. George 9th December 1841.

reason given in the decree) it is unjust to
consider the land of greater value than it was
found to yield at a public sale - But to
the valuation formerly adopted and now
adhered to by the Court, the Principal Collector
has other objections to urge. -

2nd " With respect to the view
now taken by the Provincial Court of the
objections raised by the Principal Collector
to the value put by the Court in its former
Decree, upon the Estate, with reference to the
terms of the first proclamation, the Principal
Collector begs to offer the following observations.

+Dormuty Chitta. The Revenue Accounts filed
by the Principal Collector to prove the Jodwally
of the Estate, on which discredit is thrown by
the Court, from its not being attested by any
public Officer, is an Official Document such
as is daily admitted by the Courts of Udalut
as unquestionable evidence as far as they go
of the produce of land in Canara. Better
documentary evidence than these accounts cannot

indeed

ended be produced, and the Principal Collector contends, that the Court is not justified in rejecting the account filed in the present instance, where no suspicion against its authenticity can be adduced. —

With regard to the Azmaish fusly of 1242 on which the Court have thrown a doubt, because, as it is stated in the decree the two witnesses cited to prove it, admit that it was not drawn up on actual survey but as the witness Munsiffs affirm, according to the statement of Rowlapah Mungaly from whom the land in litigation was purchased when sold by the Collector, and with reference to a survey account prepared in the preceding fusly by the former shanbogue the Principal Collector must observe, that the reason for discrediting this document does not appear very clear from the above statements, as the Principal Collector is not aware what is the difference between an "actual survey" and a "survey account". The term "Azmaish" [illegible]

fusly in question, implies an account formed on ocular inspection, and though not attested by witnesses, as was not at the time it was made the custom, there is no reason whatever to doubt its correctness. —

It is further to be observed moreover, that if these vouchers are considered by the Court as not worthy of credit, with what show of consistency can they give judgment with respect to the produce, or calculations founded upon documents, which certainly cannot be shown to be more correct than those on which the Principal Collector relied. —

The Court state that the Principal Collector has produced a document no better than that upon which the Court relied, but if it is only ~~as good~~ as the Court seem to admit it is, how can the Court reject the latter, and found their decree upon the former. The Collector has already pointed out a criterion to the Court which would aid their

Fort St. George 9th December 184

their calculation, the amount namely, for which the land was mortgaged, and for the interest of which the net produce paid into the mortgagee's hands —

The Principal Collector in urging this case strongly upon the notice of the Sudr Court must state that he cannot conceive upon what ground the Provincial Court adhere to their estimate founded upon the first proclamation — This proclamation was prepared on the report of a native servant, on an ajmaish of the estate of the documents the Court themselves shown. This excess as well as the difference between the classification of the different sorts of land shows how little dependence can be placed on these sorts of accounts — The Collector has produced two others one of an earlier and one of a later date, both inconsistent with that on which the Court have relied, and more nearly bearing out

Fort St. George 9th December 1840.

the second estimate — The first that of a Decennety which has generally been considered of great weight, the other of 1242, where he confidently asserts a more correct system was gaining ground — The Principal Collector has pointed out to the Court that the portion of the land put up under the estimate the Court rely upon, would not sell, when the whole land was put up afresh, and he asserts, a more correct estimate was framed — The first was only for a portion of the estate — In the face of these facts the Provincial Court have chosen to adhere to their first resolution, though contradicted by the amount for which the land was mortgaged, by that for which it was sold at a public sale, and unsupported by a single fact that the Principal Collector is aware of — The adherence of the Court to this estimate amounts to a verdict that collusion in the sale was proved

proved, in contradiction to their own assertion that it was not proved for on no other ground could they adhere to the first and reject the second estimate of the same Office, without any proof of the first being correct. While decreeing that collusion was not proved, the Court would appear to have acted as if it was proved.

The proper course, (the Principal Collector conceives) for the Court to have pursued on seeing reason to distrust the accounts of produce, would have been to depute an Ameen to the spot to estimate the present produce of the Estate distinguishing the improvements (which there would be no difficulty in ascertaining) made since the sale of the Estate.

3rd Do.

With regard to the Courts award of compound interest, the Principal Collector can only submit the question as a legal one point to the Court of Sudr Adawlut. He would ask, whether there is any instance on record of compound interest being awarded on grounds in any degree similar to those

on which the Provincial Court have not considered it. The Court observe, that it is considered but just to allow compound interest to meet the interest which the special appellant had to pay for what she must have raised for her maintenance in default of such produce. But surely the Court ought not to go on the presumption that she paid compound interest for these unproved loans, while her creditors (if she has any) would not be entitled at law to more than simple interest on the sums lent.

Para 12. With regard to the costs the Principal Collector is compelled to state that he is unable to understand the [illegible] the present decree which related to that subject. In the first decree it is most clearly ordered, that the Principal Collector do pay the costs on the whole of the special Appellants claim (except a sum which was to form the subject of a separate action and is not here alluded to) The Court have now rectified the error and done what

what the Principal Collector called upon them to do; but he must urge that they have only now rectified what he pointed out as incorrect, although in pointing it out he spoke of the costs as calculated on the value instead of the produce of the land. He cannot find that he made any mistake, as there is nothing that he can discern in the first decree limiting his responsibility to the sum decreed, while the costs on the sum claimed were awarded against him, as the Court appear to admit.

There is only one other point in the present Decree that requires to be noticed. In their Decree the Provincial Court have calculated the arrears due to Government on the estate only at Rs. 104-12-0 a.p. while the arrears actually due to Government at the time of the sale amounted to Rupees 158-13-4 as shewn in the Margin, which sum was collected from the proceeds of the sale.

	Rs. a. p.
Arrears of 1231	39-3-0
Current January & February kists of 1237 at the date of Sale	65-4-0
	104-12-0
Amount of the remaining three kists of March & May 1837 due at the date of the sale	45-4-0
Interest at the rate of 1% on the whole arrears	8-13-4
Total amount collected from the proceeds of the sale	158-13-4

A Statement of the arrears due to Government as above shown was submitted to the Court by the Principal Collector Dated on the 15th November 1839 in reference to the Courts proceedings of the 5th of that Month.—

In the Court of Sudr Adawlut in para 23 of their proceedings dated 23rd March 1840 have declared that the course pursued in the realization of the arrears as abovementioned was correct, the Principal Collector is at a loss to understand why credit has not been given for the whole of the arrears due on the Estate, which admitting that the other parts of the decree were just, would have materially reduced the amount to be paid by the Principal Collector. On this account therefore the Principal Collector objects to the justness of the Provincial Courts present decree, and conceives that he is entitled to a revision of judgment.—

(Signed) H. M. Blair.
Pl. Collector.—

No. 4.

Extract from the Proceedings of the Board of Revenue

Fort St.n George 9th December 1842.

Revenue dated 5th December 1839.-

Read the following letter from the Acting Principal Collector of Canara dated 16th November 1839.-

/Here enter No.90/

Ordered that the advertisement transmitted with the foregoing communication be published in the Office of the Board of Revenue - The date of sale has been fixed for the 8th January 1840.-

9-11

/Signed/ R.D. Parker
Acting Secretary.-

Order on the foregoing letters.- Ordered to be sent again in circulation.-

(Read again in Cons.n 20th Dec.r)

From the Ag.t Sec.y to Gov.t

12

Read the following Extracts.-

Extract from the Minutes of Consultation under date the 19th November 1842.-

Read the following letter from the Secretary to the Board of Revenue.-

(Here enter 18th Oct.r 1842. No.438)

The Right Honorable the Governor in Council observes that the Board of Revenue seems to labor under an erroneous impression

Fort St.n George 9th December 1842.-

in supposing that they were to defer the adoption of measures for the education of the Minors under their charge until the Establishment of branch schools in the Provinces - In the opinion of His Lordship in Council the high School now open at the Presidency affords the means of a very superior education, and he hopes the Board will bear the subject in mind and when practicable avail themselves of the advantages which it offers to their Wards.-

/A true Extract/
/Signed/ Walter Elliot
Act.g Sec.y to Gov.t

To
The President and Members
of the
Board of Revenue.-

12-13

Order thereon - Ordered to be brought forward at a future meeting.-

(Read again 20th Dec.r)

From the Ag.t Sec.y to Gov.t

14

Extract from the Minutes of Consultation under date the 20th November 1842.-

Read the following papers from the Sec.y to the Board of Revenue.-

(Here enter 16th Sept.r 1842 No.383)

+ + +

As the ultimate disposal of

1844

Fort St. George 9th December 1844.

of the Zemindary of Nedadavole in the Masulipatam District is at present under the consideration of the Honorable the Court of Directors. The Right Honorable the Governor in Council defers passing any order on the communication of the Board of Revenue recorded above until an answer is received. In the meantime he desires that with the view of preserving the property from dismemberment by legal process that the entire Estate may be attached for the arrears of Peishcush, if not already so, and kept under the Collector's management until further orders. —

A true Extract

To The President and Members of the Board of Revenue.

Signed Walter Elliot
Acting Secy to Govt

Ordered that the following address be submitted as a reply. —

To

1844

Fort St. George 9th December 1844.

To

The Chief Secretary to
Government. —

Sir,

14-15
To the Chief Secy to Govt

Para 1. I am directed by the Board of Revenue to acknowledge the receipt of an Extract from the Minutes of Consultation of the 20th November in reference to the disposal of the Nedadavole Zemindary in Masulipatam in satisfaction of the Government demand thereon, and the claims of the Rooyed Proprietor. —

In Cons. 9th Dec. 1844.

2. In reply to the observations contained therein, I am directed to state that the entire Estates of Narrain Appa Row have been for some years under attachment for arrears of Peishcush. This sequestration however in no way precludes the Courts of Adalut from directing the sale of the whole or any portion of the Zemindary in satisfaction of the Rajenamahs filed by the Proprietors of Rooyed and Nedadavole respectively, which stipulated for payment by fixed instalments of the debt due to the former. A Precept was in fact issued as stated in Para 8, of his letter of the 22d October 1841 for a sale of a portion of the Estate in liquidation of the fourth

Fort St. George 9th December 1841

(18)

From the Collr. of Vizagapatam } To

Read the following letters.

The Secretary to the.

Board of Revenue

Fort St. George

Sir,

I have the honor to acknowledge the receipt of Mr. Porter's letter dated 18th Ultimo, forwarding 190 Bills of Exchange and 150 Letters of advice indented for on the 2nd February last.

Vizagapatam District
Bimlipatam, Collector's
Circuit Cutcherry
1st December 1841

(Signed) W. A. Arbuthnot
Collector.

From the Collr. of Rajahmundry } To

The Secretary to the Board of Revenue Fort St. George

(19)

Sir,

I have the honor to acknowledge the receipt of Mr. Sub Secretary Porter's letter of the 18th ultimo, with the under-mentioned

1841

Fort St. George 9th December 1841

Fort St. George 9th December 1841

fourth instalment due to the Nizzud zemindar and speculation of that and further demands accumulating have only been arrested by the exertions of the Collector, who for a cession of part of the Nedadavole Estate to the Nizzud Proprietor had induced the latter to forbear forcing a sale.—

3. It is feared that the zemindar Nizzud will not now be induced to stay further proceedings without some guarantee of ultimate payment.—It will be borne in mind that the permanent summond of the whole Estate is mortgaged to him, and that his demand with interest at twelve per cent is still accumulating on if unsatisfied will swell to an amount greater than the entire value of the property.—

Revenue Board's Office
at Fort St. George, 9th Decr. 1841.

(Signed) P. B. Smollett
Secretary.

Read the following Resolutions.—

Extract from the Minutes of Consultation dated 19th November 1841.—

(16)

(Bd. Pro. 1st November)

From the Actg. Secy. to Govt.—

The Right Honorable the Gover-
nor in Council sanctions the sum of ... Rupees paid
by the late Acting Princip... Collect... Coim-
tore in December 1838 to a p... who ...
package from the Boards ... to the ... Victor...
(Sign...) Valle... Ct.—

Under date 9th.— Ordered that the sanction
recitation be comm... ted to the ...
Coimbatore.—

(16-19)

S. & B.

1841

Fort St. George 9th December 1841.

mentioned Printed Forms, for which an Indent was submitted in my letter of 5th February last,

Bills of exchange - - - 290
Letters of Advice - - - 120

Zillah Rajahmundry
Coll[r]s Circuit Cutcherry
Samulcottah 1st Dec[r] 1841

/Signed/ G. A. Smith
Collector

From the Sub-Coll[r] in charge of Nellore

To
The Secretary to the
Board of Revenue
Fort St. George

20

Sir,

I have the honor to acknowledge the receipt of the undermentioned Printed Forms advertised to in your letter of the 18th Instant;

Bills of Exchange on the Accountant General 181
Letters of advice to - - - Do - - - - - 181
Bills of Exchange on the Collectors - - - 181
Letters of advice to - - - - - Do - - - - 181

Print[d] Coll[r]s Cutcherry
30 November 1841 - - - - - -

/Signed/ A. Matheson
Sub Coll[r] in charge

To

1841

Fort St. George 9th December 1841.

To
The Secretary to the
Board of Revenue
Fort St. George

21

From the Coll[r] of Malabar

Sir,

I have the honor to acknowledge the receipt of the undermentioned Printed Forms forwarded by Bangby with Mr. Foster's letter of the 18th Ultimo -

Letters of advice — 150 -

Malabar, Coll[r]s Office
Calicut, 1st Dec[r] 1841

/Signed/ H. V. Conolly
Collector.

Order on the 4 foregoing letters,
18-22

Order to be over.
Read the following letters.

To
The Secretary to the
Board of Revenue
Fort St. George

23

From the Coll[r] of Rajahmundry

Sir,

Para 1 I trust, the Board of Revenue will not object to my noticing to the districts I shall be in with respect to

Fort St. George 9th December 1841

to the efficient discharge of my duties if my revised Moyen zabitah is not sanctioned before the Pittapoor Zemindary establishment is dispensed with.

† Vide my letter of 30th June 1841.

2

A reference to my Demand Collection and Balance Account will show, that this District is at last experiencing a favorable Season, and it is satisfactory to me to be able to observe that though the large quantities of land remaining uncultivated from the deficiency of Ryots shows to clearly how much the District has really suffered still the prospects of a very good Revenue are most cheering and, there is little doubt but that a second good season will effect a very great difference in the condition of the Inhabitants and the appearances of the Country.

Gillak Rajahmundry, Collectorate Cutcherry, Samalcottah, 17th Nov. 1841.

/Signed/ G. A. Smith
Collector.

3 Proceedings thereon. (23-24)

(The orders of Government of

Fort St. George 9th December 1841

on the Collectors proposals for modifying the District establishment of Rajahmundry were furnished to Mr. Smith under date the 2nd Instant. If Mr. Smith considers a further reference desirable on any point adverted to therein the Board will give their attention and support to any reasonable proposition likely to receive sanction from Government.

To

The Secretary to the
Board of Revenue
Fort St. George

(25)

From the Collr of Rajahmundry

Sir,

Marked A

With reference to Para 4 of my letter of the 28th Ultimo I have the honor to submit for the information of the Board of Revenue, Copy and Translation of the Extract from the Proceedings of the Adalut Court Rajahmundry of 9th ultimo received from the Government Vakeel of the Court

as under

warding to Cotaycherry Boochiah, Respon-
=dent in Cause No. 11 of 1828 on the file
of the Sudder Udalut the amount of the
annual profits of the Kurlumpoody
Estate for four years from fusly 1234 to
1237 and request that I may be al=
=lowed to satisfy this demand from the
Collections in hand of the Zemindary as
suggested in the last Para of my letter
above referred to.

Rajahmundry Collr's Circuit Cutchery
Samulcottah 17th Novr 1841

(Signed) G. A Smith
Collector

A

Extract from the Proceedings of the Ma-
=sulipatam Zillah Court of Udalut held
9th October 1841.

No. 496 of 1839.

Read Petition presented
by Rajah Chintapullah Venkatarow
Guardian to Rajah Row Venkatasooria
Row Behader Minor Zemindary, the heir
and Son of the appellant in the
Cause

Cause No. 11 of 1828 in the file of the
Court of Sudder Udalut Stating
that the accounts lodged in the
Cutcherry of the Zemindar and those
in the Office of the Collector may
be sent for and examined regarding the
amount of profit which accrued for
the Mootah of Kurlumpoody from fusly
1234 to 1237.

No. 204 of 1840.

Read Petition presented by
Cotaycherry Boochiah Respondent in
Cause No. 11 of 1828 on the file of the
Court of Sudder Udalut stating that
Warrant may be issued for Rupees
81505-5-9 being the amount of profit
for four fusties for the Mootah of Kur=
=lumpoody with reference to the accounts
presented by the Cummuns.

No. 300 of 1840.

Read Counter Petition
presented by Rajah Chintapullah
Venkatarow Guardian to Rajah
Row Venkatasooriah Row Behader
Minor Zemindar the heir of

Fort St. George 9th December 1841

appellant in Cause No. 11 of 1828 on the file of the Court of Sudder Udalut in reply to the said Petition in No. 204 of 1840.

No. 831 of 1841.

Read Petition presented by Rajah Chintapullah Venkatarow Guardian to Rajah Row Venkatarow Row Bekadoo Minor Zemmindar the Heir of the appellant in Cause No. 11 of 1828 on the file of the Court of Sudder Udalut stating that the Collector only should be called upon regarding the points given by the Court - also the depositions of the Witnesses on behalf of the appellant namely 1 Pannadah appanah, 2 Avasaranlah appanah, 3 Mylavarapoo Venkatasamiah. 4 Chelkany Anchiah and 5 Chellah Rama Kreestamah - The depositions of the Witnesses on behalf of the Respondant namely 1 Davalapaty Paniah, 2 Avasaralah Venkanah, 3 Venkayalapaty Panniah & Settepoodi Suggaranje

Fort St. George 9th December 1841

Suggaranje, 5 Damalah Sivunny, 6 Bundah Tajiah and 7 Bollao Serapaty - The whole accounts of both parties and the returns of the Collector of the Zillah of Rajahmundry together with all their accompaniments consisting of accounts &c. 7 to the Precepts of the Court.

The Acting Judge having looked over all the Proceedings, Documents, and accounts and evidence on both sides finds the accounts rendered by the Collector for the four years from fusly 1234 to 1237 to be unexceptionable - There is every reason to believe them true & no reason to believe them false - The average profit they exhibit Viz: 7,293 is very considerably above the average of the nine subsequent years when the Zemindary was under the Collector's management, and of which the accounts are not questionable. The exhibit very remarkable fairness - The accounts rendered by the other party are very different. There is every reason to believe them false and no

Fort St. George 9th December 1841

no reason to believe them true. The enormous exaggeration of them convicts them at once of falsehood and the average profits they allege were realized in the 4 years abovementioned Viz. 22000 and odd Rupees while the ascertained average profits of the 9 subsequent years was only 6,380-1-1 would argue a miraculous change of season. The alleged accidental preservation of Copies of their Accounts while the Originals by which they could have been tested were all destroyed by fire and storm is manifestly incredible.

The Acting Judge therefore decrees the sum shown in the account furnished by the Collector to be recovered from the appellant and paid to the Respondent in full of all claims in this matter.

9th October, 1841.

(True Copy)
(Signed) Vanroy Venkatachellum
(True Translation) Cht. Vakeel.
(Signed) G. A. Smith
Sd.

Fort St. George 9th December 1841.

25-26

Order thereon. Ordered to be brought forward at a future meeting.

(Read again in Con. 23rd Dec.)

To

The Secretary to the
Board of Revenue
Fort St. George

27

From the Collr. of Rajahmundry

Sir,

Submitting the result of the Sale of Cottapilly Talook by public Auction on account of arrears and sending the usual Statement and also proposing the usual advertisement for the sales of Puthy Jaud. Samy-a Naidu & Jagadapilly Punganamma when the explanations called for by Board about them is furnished.

Para 1. I have the honor to report for the information of the Board of Revenue, that agreeably to the orders conveyed in their Proceedings of 7th October last, I put the Cottapilly Estate up to Public sale at my Cutcherry at Cocanada on the 18th Instant, and purchased it for Government for the sum of Rupees Five thousand, being Rupees 5,821-4-7 less than the amount of the Original balance accumulated, prior to the death of the late Proprietor Vutchavoy Venkatapuntty Ranze, and Rupees 27,348-2-2 less than the actual balance outstanding to the end of Fasly 1250.

2. By the 6th Para of the Minutes of Consultation of Government of 25th September and the Board's Proceedings

Fort St. George 9th December 1841

Proceedings of 7th October, Samuel Cottah
on for explanation of any objections to
the sale of the Jagapatty nagaram
Village and the Sairy lands of Patty pau
with reference to my remark in the
13th Para of my letter of 13th March 1841
3

My remark was that if the
lands paid no tax to Government and
therefore it appeared to me they
must remain as they were for the
present. This opinion was based on the
ground that as they paid no tax themselves
to Government, though they might
escheat to Government in the absence
of an Heir, there was then no existing
ground, on which to bring them to
sale, and had the Cottapilly Estate
fetched the full amount of balance
due against it in sale, the same
opinion would have held good. As
it is however the Cottapilly Estate
has not fetched the amount of the

balance

Fort St. George 9th December 1841

balance against it, and I accordingly
propose to submit an Advertisement
for the sale of these Lands though
I am endeavouring to obtain copies
of the Decrees passed in the Provincial
and Sudder Courts and afterwards
confirmed by the King in Council respecting
the Jagapatty nagaram Village.

Zillah Rajahmundry,
Collector's Circuit Cutchery,
Samulcottah 20th Nov.r 1841.

Signed G. A. Smith
Collector

Statement

18430.

A. Statement shewing the Particulars of the Estates sold by Public Auction on the 18th November 1841 at Fort St. George 9th December 184

No.	Names of the Zemindars or Proprietors	Names of the Estates	Talooks	Annual Permanent Summah	Principal	Interest	Total	Balance On account of Principal of Fusly 1241	Balance On account of Principal of Fusly 1246	Balance On account of Principal of Fusly 1247	Balance On account of Principal of Fusly 1248	Balance On account of Principal of Fusly 1249	Balance On account of Principal of Fusly 12
	1	2	3	4	5	6	7	8	9	10	11	12	
					C Rs. a. p.	C Rs. a. p.	C Rs. a. p.	C Rs. a. p.	C Rs. a. p.	C Rs. a. p.	C Rs. a. p.	C Rs. a. p.	C Rs. a. p.
1	Late Vutchavoy Venkataputtypauly Proprietor	Cottapilly, Talook	31	12,789 " "	10,438 " 3	383 4 4	10,821 4 7	1,341 13 10	4,941 4 11	5,227 5 1	4,398 6 7	2,522 14 1	30

Zillah Rajahmundry,
Collector's Circuit Cutcherry,
Samulcottah, 20th Nov.r 1841.

E. E.

arrears of Revenue in the Zillah of Ryahmundry.

Total Balance			Amount of Sale of each Estate realized in Public Auction	By whom the Estates were purchased	Remarks
Principal	Interest	Total			
14	15	16	17	18	19
Rs. a. P.	Rs. a. P.	Rs. a. P.	Rs. a. P.		
319641 3 10	383 4 4	32,348 2 2	5,000 " "	Government	

/Signed/ G. A. Smith

Collector

Abrat

18430. & December 1841

A. Statement & November 1841. for arrears of Revenue in the Zillah of Ryahmundry.

No.	Names of the Zemindars or Proprietors	Amount of Principal of Fusly 1247	On account of Principal of Fusly 1248	On account of Principal of Fusly 1249	On account of Principal of Fusly 1250	Total Balance Principal	Interest	Total	Amount of sale of each Estate realized in Public Auction	By whom the Estates were purchased	Remarks
		10	11	12	13	14	15	16	17	18	19
		Rs. a. P.	Rs. a. P.	Rs. a. P.	Rs. a. P.	Rs. a. P.	Rs. a. P.	Rs. a. P.	Rs. a. P.		
1	Late Vutchavoy Venkatapuddy Proprietor	27 5 1	4,398 6 7	2,522 14 1	3,095 5 1	31,964 13 10	383 4 4	32,348 2 2	5,000 . .	Government	

Zillah Ra
Collector's C
Samulcotta

C. C. per

/Signed/ G. A. Smith

Collector

Attest

18430.

A. Statement of December 1841 / November 1841 for Arrears of Revenue in the Zillah of Rajahmundry

No.	Names of the Zemindars or Proprietors	Amount of Principal & Fusly 1247	On account of Principal & Fusly 1248	On account of Principal & Fusly 1249	On account of Principal & Fusly 1250	Total Balance Principal	Interest	Total	Amount of sale of each Estate realized in Public auction	By whom the Estates were purchased	Remarks
		10	11	12	13	14	15	16	17	18	19
		Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.		
1	Late Vutchavoy Venkatapuddy pauy Proprietor	227 5 1	4,398 6 7	2,522 14 1	3,095 5 1	31,964 13 10	383 4 4	32,348 2 2	5,000 " "	Government	

Zillah Ra
Collector's C
Samulcotta

E. Cyper

/Signed/ G. A. Smith

Collector

Attest

27-28

Order thereon.
Read again in Cons. 23d Decr.

Ordered to be brought forward at a future meeting.

Read the following letter

To,

The Secretary to the
Board of Revenue
Fort St. George

29

From the Collr. of Guntoor.

Sir,

With reference to my letter dated 13th October last, I have the honor to state that the payments of Wajsoreddy & Ramanadha Barboo, the Managing Proprietors of the Wajsoreddy Estates up to the end of November, Amount to Rupees 30,375-6-7 being Rupees 39,281-11-6 less than the payments in last year to the same date. It appears desirable with reference to this decreased payment that the question whether the Estate is to be attached or not, should be at once decided.

Guntoor, Collrs Cutcherry, 4th December 1841. } I have the honor &c. Signed J. Goldingham Collector.

29-30

Instructions on the subject to which this letter has reference it is seen, were furnished to the Collector under date the 29th Ultimo, and Mr. Goldingham will exercise his discretion in attaching the Estate if the Zemindar fails to make payments commensurate with his Collections.

J.G.B.

Read again in Cons. 23d Decr.

Read the following letter.

To the Secretary to the
Board of Revenue
Fort St. George

Sir,

31

From the Pro. Coll. of Nellore

Bringing under the consideration of the Board the Case of Coomara Ramachendra Rauze who has preferred a request for the Continuance of the Pension of 100 Rupees which was allowed to his deceased adoptive Mother Seetama & recommending that a similar allowance or a reduced one of 75 Rs. P. Mo. may be granted to him &c. &c.

Para 1. I have the honor to bring under the Board's consideration the Case of Coomara Ramachendra Rauze who has preferred a request for the continuance of the pension of 100 Rupees which was allowed to his adoptive Mother Seetama who died about two years ago.

2 The circumstances of the family have already formed the subject of a lengthened correspondence, and are succinctly stated in the Board's letter to Government under date 10th June 1822. As the Government in their letter of the 28th June of that year declared that all pensions then granted to the Members of the family of the former Zemindars of Ongole were to Cease on the death of the respective Incumbents, it would have been unnecessary for

for me to have troubled the Board with any reference upon the subject, were it not that a misconception seems to have arisen which if not rectified would be prought with injustice to the individual Comara Ramachendrarauze to the undue benefit of another Member of the family whose claims I conceive and think the Board will be satisfied are not so strong as his—

3. When the Government passed their orders in 1822 that the allowances of existing incumbents should cease, they Continued an allowance of 150 Rupees per mensem to Comara Vencata Nursimmarauze the adopted son of Paupema who had been stated by the Board to be the widow of the Last Zemindar Rambhuddrarauze and the only surviving Member of the original family, and the Government evidently acting upon the

the impression that he was the lineal representative and Head of the family of the Angole Zemindars continued to him the allowances of 150 Rupees out of that (250 Rupees) which had been paid to his adoptive Mother Paupamah and intended by it as far as I can collect from the papers, that the other Members of the family after existing pensions had lapsed were to look to him for maintenance—But the Board misconceived the real state of the case when they supposed that Paupamah was the widow of the last Zemindar and the only surviving Member of the original family—

4. The Angole Zemindary though originally held as one Estate was many years before the assumption of the District divided and enjoyed by two distinct branches of the family as distinct properties—It is understood

understood that their respective portions had defined boundaries Ramabhuddra-rauze the husband of Paupamah was the possessor of one half and Pedda Ramachendrarauze of the other During the Nabob Wallajah's government they jointly resisted the Vencatagerry Zemin-dar who was supported by the Nabob and assisted with Government Troops but were defeated and their Zemindary taken from them and given in rent to the Vencatagerry Zemindar Rama-bhuddrarauze was killed in the engage-ment and Pedda Ramachendrarauze fled the Country but through the mediation of the Zemindar of Vizaya-nagarum he was forgiven by the Nabob and sent with a letter from him to the Nellore Foujdar upon which the Foujdar gave him the rent of two Perguanahs It so happen-ed that business took him accidentally

to

to Cundacoor the station of the Amildar, and while there, a body of a thousand of Hyder Horse appeared before the place These with a few Matchlock men he resisted and drove off, which pleased the Nabob so much that in requital of his gallantry, he conferred on him the entire Zemindary of Ongole including the Separate half share which had been held by Ramabhuddrarauze, Paupamah's hus-band Ramachendrarauze thus held the entire Zemindary of Ongole for some time and was succeeded in it by his adopted son Coomara Vencatrama-rauze who held it for a few years when it was again resumed by the Nabob on account of some mis-representations which had been made against him On its resump-tion an allowance of 1000 Rupees per Mensem was granted to him

On

On his death the allowance was continued to his adopted son Chinna Ramachendraraauze who was the individual in the receipt of it when the Country was assumed by the British Government. He was the husband of Seetama whose death has given occasion to the present reference to the Board after the death of Chinna Ramachendraraauze the allowance of 1000 Rupees was split into several separate allowances to the respective Members of the family that allotted to Seetama having been 100 Rupees

5. It will thus be seen that Pauparnah was the widow of a Zemindar who originally had a right to a half share only of the Ongole Zemindary and whose possession even of that half was lost long before the Company's assumption of the Country and never regained; while

while Seetama was the widow of one who was the lineal descendant of another and distinct branch of the family to whom belonged the other half share of the Zemindary and upon whose Grand father the entire Zemindary was subsequently conferred by the Nabob and to whose adoptive father singly was granted the allowance of 1000 Rupees per Mensem in lieu of the Zemindary which had been taken from him.

To the adopted son of Pauparna 150 Rs per mensem has been granted by Government, but strictly she had originally a right to any portion much less a principal portion of the Monthly allowance of 1,000 Rupees under the present orders of Government which direct that the pensions of existing incumbents should cease on their death the adopted son of Seetama, Co Ramachendraraauze

Fort St. George 9th December 1841

Ramachendraraauze, will be left without the means of support while the adopted son Paupama with far less title to consideration will be receiving 150 Rupees per Mensem - Seetamah's adopted son should at least receive an equal allowance with the adopted son of Paupamah - I have already observed that it appears to me that in granting the allowance of 150 Rupees to the adopted son of Paupama, Government intended it after the pensions of existing incumbents had lapsed, to be an allowance for the family generally, and it being supposed that Paupama was the only surviving Member of the original family, her adopted son very naturally was viewed as the lineal heir and representative of the Ongole Zemindars, and the Head of the family, and as such the most proper person to receive such an allowance

Fort St. George 9th December 1841.

allowance on behalf of the family - It has been shewn however that the families are distinct one being represented by Seetamah the other by Paupamah, and now by the adopted sons respectively - There is consequently no feeling of amity between the parties, and to direct Seetama's adopted son to look to the adopted son of Paupamah, by virtue of his being in the receipt of an allowance of 150 Rupees per Mensem for support would be tantamount to nothing, for unless a certain portion of that allowance were set apart and paid separately to Seetama's son, he would never get a piece -

I would recommend therefore as a measure of justice to that branch of the family of the Ongole Zemindars of whom Coomara Ramachendraraauze the adopted son of Seetama

is the lineal heir and representative, as Coomara Vencatanursimahrauze is of the other branch that the allowance now drawn by the last named individual be reduced to 100 Rupees per Mensem, and a similar allowance granted to Coomara Rama=chendrarauze which will be 50 Rupees per Mensem less than has hitherto been paid They are the representatives of a very ancient family, and I do not think a Monthly allowance of 100 Rupees to each branch of the family would be too liberal, and certainly not more than is necessary for their decent support, but if the Board should be of opinion that the Monthly allowance to the family should not exceed that granted in 1822 to Coomara Vencata=nursemharauze, viz^{t}, 150 Rupees I beg to suggest that it may be divided equally between the sons of Leetama and Tauparnah and

I

I would at the same time beg to recommend that whatever may be the Monthly allowance allotted to the son of Leetama, he may be permitted to draw it from the date of her decease which took place on the 15th January 1840—

Nellore,
Pt Coll^{rs} Cutcherry,
20th November 1841.

Signed J. V. Stonhouse
Pt Collector

Ordered that the following address be submitted in consequence.

To The Chief Secretary to
Government

Sir,

31-32

To the Chief Secretary to Govt

Submitting a letter from the Principal Collector of Nellore upon the subject of a request preferred by one Coomara Ramachendra Rauze for the continuance of a Pension of Rs 1000 per Mensem enjoyed by his

20 de Mort in Cons^{t} 9 Dec^{r} 1841

Para 1 I am directed by the Board of Revenue to request that you will submit for the consideration and orders of the Right Honorable the Governor in Council the accompanying letter from

his late adoptive Mother Seetamah Widow of Chinna Ramachendra Rauze formerly Zemindar of Ongole, and stating that the Board see no objection to the arrangement recommended by the Principal Collector whereby a provision will be afforded to the present claimant from the allowance already sanctioned.

Fort St. George 9th December 1841.

from the Principal Collector of Nellore upon the subject of a request preferred by one Coomara Ramachendra Rauze for the Continuance of a Pension of Rupees 100 per Mensem enjoyed by his late adoptive Mother Seetamah, Widow of Chinna Ramachendra Rauze formerly Zemindar of Ongole.—

2. In advocating the claim of Coomara Ramachendra Rauze to succeed to at least a portion of the Pension of the late Seetamah, from the date of her demise (15th January 1840) the Principal Collector observes that an allowance of Rupees 150 per Mensem was continued to Coomara Vencata Narsima Rauze, whom he designates as the representative of another branch of the family on the death of his adoptive Mother Paupamah, who had been in the receipt of Rupees 250 per Mensem, being the share allotted to her as Widow of a former Zemindar

Fort St. George 9th December 1841.

Zemindar Ramabuddra Rauze, on the assumption of the Ongole Zemindary by the British Government, on which occasion an allowance of Rupees 1,000 per Mensem previously granted by the Nabob was apportioned for the Maintenance of the different Members of the family the said Paupamah having thro' a misconception on the part of a former Board of Revenue as to her real position in the family been placed in the receipt of a larger allowance than Seetamah whose claims were in reality superior to her own - and par consequence, the claims of her adopted son, equal, at all events if not superior to those of the adopted son of Paupamah.

3. It appears however to the Board on reference to the letter Addressed to Government under date the 10th June 1822 to which the Principal Collector alludes as containing a full account

of

of the circumstances under which these Pensions were granted, that the whole of the circumstances set forth in the letter now submitted, were then known, and the relative pretensions of Pauparnah and Seetamah in regard to the amount of Pension allotted to each was fully taken into consideration, and the allotment made by Mr Travers considered fair and equitable. It appears moreover that the right of Coomara Vencata Nursima Rauze to succeed to his adoptive Mother was distinctly negatived, but that in consideration of the distressed situation to which the family was represented as being reduced, a sum of Rupees 150 was granted "for the support of the dependants of Pauparnah," with a distinct intimation from Government that all individual Pensions were to cease at the death of the parties in whose names they were entered.

From Govt 28th June 1822 In Conse 4th July 1822.

4. Under these circumstances the Board cannot entertain the claim of

of Coomara Ramachendra Rauze to succeed to the Pension of his late adoptive Mother, but as they are inclined to believe, as suggested by the Principal Collector that it was the intention of Government in granting the allowance of Rupees 150 to the adopted Son of the late Pauparnah (or more properly as above stated, for the support of her dependants) to provide for

Fort St. George 9th December 1841.

for the family generally af

the Pensions of existing in

=cumbents had lapsed they

see no objection to the

arrangement recommended

the Conclusion of the letter no

submitted whereby a Provis

will be afforded to the preser

Claimant from the Allowanc

already sanctioned.

Revenue Board Office
Fort St. George 9th Decr. 1841 } Signed F. B. Smollet

Secretary

Read

Fort St. George 9th December 1841.

Read the following letter.

To The Secretary to the
Board of Revenue
Fort St. George.

33

Sir,

From the Dl. Collr. of Nellore

Informing the wishes of the Incumbents who had the 4 Villages of Rajavole &c. in regard to having either Monthly Pensions or Villages Continued to them. recommending that a reduced allowance of 15 Rs. be continued to Masalabalee wife of the Individual who had the Villages of Greveyapilly & Kistee poram.

Para 1. I have the honor to ac=
=knowledge the receipt of Extract from the Boards' Proceedings dated the 2d. September last transmitting copy of a letter from the Supreme Government on the subject of certain Surrea Enams and Shrotriem &c. villages in the resumed Sagbire of Wodia=
=gherry; a reference has been made to the parties concerned in pursuance of the Suggestion made by the Supreme Govern=
=ment that "in any instance where the in=
="dividual whom it is proposed to reinstate "in his former professions may prefer a Money "allowance of equal value to the tenure "of the land, on the Conditions on which "it is to be granted to him, his preference "may be attended to, and a life pension "be granted as equivalent to the land."

2 The villages to which the suggestion was intended to apply are four in number, but held by three incumbents

Fort St. George 9th December 1841

incumbents, Vizt.

1 Rajavole held by Turner Mayahiee
2 Cankertook Do. by Syed Abdool Khadir Woossainy alias Buddy Sahib.
3 Arveytepully } Do. by Syed Khaja Ahmed
4 Kistepooram } Sahib Woossainy

3 I must first explain the mode adopted for fixing "the value of the tenure of the land" for which a money allowance was offered as a substitute. The average revenue of past years as entered in my former Report has been taken, from which 1/3d has been deducted as Beyrij payable to Government, and 15 per %, upon the principal of the Zemindary Settlement, has also been deducted for charges Collection. The remainder has been taken as the value of the tenure - I beg to transmit herewith a Statement in which the result is succinctly shewn in regard to each village.

4 I should explain however that in my letter to the Board of the

Fort St. George 9th December 1841.

27th February last, I assumed the value of the two villages of Araveytepully and Kistepooram, at what it was entered in the original Sunnud nearly half a century ago, but on further consideration I think this would not be fair to the Sarkar - The village is not worth now what it was then, even supposing that it was at that time worth so much as was mentioned in the Sunnud, and as the actual collections of past years have been assumed in the case of the other two villages, I think it would be but fair that the same rule should be adopted in regard to Araveytepully and Kistepooram - and if so the amount to be taken into account as the Government Beyrij will be 184 Rupees instead of 264 Rupees per annum.

5 It will be seen from the Statement that the amount of Monthly pension payable to the respective Incumbents, in lieu of the villages will be

To Surveir Mayahiba - - - Rs. 70 " "
To Syed Abdool Khader Woosaing - 60 " "
To Syed Khajah Ahmed Sahib Woosaing - 24 " "

I &c

Fort St. George 9th December 1841.

The 1st individual prefers her pension of 70 Rupees to having the Village. She is now in the receipt of 15 Rupees per mensem and the additional Sum payable therefore Monthly will be 55 Rupees.

The remaining two individuals prefer having their villages on an annual Beyrij respectively of 500 Rupees and 184 Rupees and I beg to recommend therefore that their arrangements be adopted. Abdool Khader Hoossainy now receives an allowance of 7 Rupees per mensem under the name of Buddy Sahib, which will of course be discontinued.

6 I have the honor to state, with reference to Para 7 of the minutes of Consultation dated the 29th June last that the Marahabee to whom the Supreme Government granted an allowance of 15 Rupees is the individual whose husband had the villages of Araveytipully and Kistneepooram, she has requested that her allowance might be continued although the Villages are made over to her husband on

Fort St. George 9th December 1841.

on the ground of there being so many who have to share in the villages, that the portion of income derivable from them which will come to her husband will not amount to two Rupees a month. There is some truth I believe in this statement but not to the extent she mentions, and am disposed to think that the entire discontinuance of the allowance would leave her without sufficient means of support, and I would recommend that a reduced allowance of 10 Rupees per mensem be continued to her.

7 The Supreme Government desire to be informed of the instrumentality by which the Operations of 16 measurers will be checked and controlled, and by which the results of their separate labor was to be combined into one uniform and even return of the extent and classification of the lands which I proposed to have measured in my

Fort St. George 9th. December 1841.

my letter under date 27th. February 1841. These observations of the Supreme Government seem to refer to a regular Survey and Classification of the lands, while I contemplated and imagined I had so expressed myself simply a measurement of the waste and unoccupied lands. The Small Establishment I proposed to employ for the short period of 5 months could never effect a regular Survey and Classification of the waste, a task far more difficult than a Survey and Classification of the lands actually under occupancy, in as much as there are the data of former years returns of produce to guide the judgment of the Assessor in one case and not in the other; But without entering into the question of the advisability of Classifying and assessing waste under any circumstances before it is actually taken up for Cultivation it will be sufficient here to explain that what I intended was a simple measurement of the lands to know, what now we do not

Fort St. George 9th. December 1841.

know except upon conjecture, the exact extent of the lands of each village by which their boundaries would become known, and disputes between village and village put a stop to, and to ascertain moreover the actual superficial extent of the resumed country. It was to obtain such information, the want of which is now felt - rather than to have a regular Survey and Classification, that I proposed to employ a small & temporary Establishment. The operations of the 16 Measurers would have been placed under due check. Entire villages would have been apportioned to each measurer with whom it was my intention to have associated a Government Servant and adopted other measures to see that the measurements were not unfairly or carelessly made. The rest would have been done by the servants of my own Cutchery. It may be remarked however that there is little fear of the measurements being wilfully made incorrect, for in a simple measurement of waste lands especially as this would be in large tracts, there is little or nothing to be gained by any party by a dishonest measurement.

Signed J. V. Stonhouse
Principal Collector

Statement

Nellore,
Print. Collr's Cutchery,
22d. November 1841.

1845

Statement of the Average Revenue Ycar of the 4 Villages recommended to be restored to their holders.—

North Arcot 9th December 1841.

No.	Names of the Villages.	Names of individuals.	Average Revenue of past year.	Deduct. 1/3d on account of Peishcush at 15 per Cent.	Deduct. Allowances charged	Remainder.	amount of allowance now proposed per Mensem.	amount of allowance now proposed per Annum.	amount of Monthly allowance which the individuals are now in the receipt of	Remarks.
			C Rs a p	C Rs a p	C Rs a p	C Rs a p	C Rs a p	C Rs a p	C Rs a p	
1	Rajarole	Surwar Marakalad	1796 10 2	600 " "	270 " "	926 10 2	90 " "	840 " "	15 " "	
2	Tankootoor	Syed Abdool Caudur Hussainy alias Baby Sahib	1466 10 1	500 " "	220 " "	746 10 1	60 " "	720 " "	7 " "	
3 & 4	Arvatepully & Reistepoorum	Syed Cajah ahmed Saheb Hussainie	552 4 11	184 " "	82 12 1	285 8 1	24 " "	288 " "	" " "	Manoahiba the wife of the incumbent is now in the receipt of an allowance of 15 Rupees per mensem.

Nellore,
Principal Collectors Cutcherry
22d November 1841.

E. Fox / Signed / J. V. Stonhouse.
Principal Collector.

Order

18456 Fort St. George 9th December 1841.

(33-34)

Order thereon.

(Read again in Conn. 16th Dec.)

Ordered to be brought forward at a future Meeting.

Read the following letter.

To The Secretary to the Board of Revenue Fort St. George.

(35)

From the Coll.r of Chinglepute

Sir,

I have the honor to acknowledge the receipt of your letter of the 21st ultimo, giving cover to a Petition from one Chinnatomby Chetty of Chinglepute, claiming payment of certain Sums for Articles Supplied to the late Ex. Sashiredar of Woodiagherry and his followers, and to state that I have paid to the Petitioner the value of such articles as were supplied to the late Ex. Sashiredar and his family under my authority, but that I have declined paying for those supplied to their followers &c residing

No. 1575 of 1841. herewith &c returned.

18457 Fort St. George 9th December 1841.

residing at Chinglepute, subsequent to the Proclamation published in that place by Mr. Hallett the Acting Collector stating that he would not be answerable on behalf of Governments for any debts incurred by them, and warning the Merchants that any advances or Credit given must be on their own responsibilities.

Chinglepute District.
Collectors Cutcherry,
Pullecarnay, 29th Nov.r 1841.

(Signed) A. Freese
Collector.

Order thereon.

(35-36)

Ordered that the following Endorsement be passed upon Original Petition No. 1575 of 1841.

Endorsement.- The Board of Revenue having referred, for explanation, to the Collector of Chinglepute, decline under the circumstances represented, passing any orders in reference to the claims of the Petitioner.

Read the following Statement.

Statement.

Fort St. George 9th December 1841

Order thereon.

37-38

Ordered to be recorded

Read again letter from the Principal Collector of Salem dated 15th and entered in Consultation 29th Ultimo —

Ordered that the following address be submitted in consequence. —

To The Chief Secretary to Government

39

To the chief secty to Government

Sir

I am directed by the Board of Revenue to request that you will submit for the orders of the Right Honorable the Governor in Council the accompanying letter from the Principal Collector of Salem and to recommend that sanction may be granted for the disbursements on account of the repair of roads in that District in the years 1836 — 1837 — and 1838 reported in a letter from this Office dated 11th November 1839

From 15th Con 29th November 1841

Recommending that sanction may be granted for the disbursement on account of the repairs of roads in the Salem District in the years 1836-1837 and 1838 amounting to Rupees 4295 10 — 4 —

Disbursements	Rs	A	P
1836 —	1173	1	8
1837 —	2309	13	9
1838 —	307	10	11
	4295	10	4

37

1459 Statement of Bills for exportation to Calicut per Ship Sylph dated 30th November 1841.

Quantity of Salt &c.	Quantity actually in store ready for exportation	Quantity already exported.	Remarks
Quantity required to be exported.			
Parcels.			

A small portion of the quantity of Salt in store at the Agency will be required for Local consumption the rest to be exported.

Collector

Chingleput District Collector's Office 9th December 1841.

Certified that the Salt specified in the above Statement is ready for exportation to Calicut per Ship Sylph dated 30th November 1841.

Chingleput 9th December 1841.

Collector

Fort St. George 9th December 1841

Bengal Rs. 5,00,000

Collector

Fort St. George 9th December 1841

No. 508 amounting in the aggregate to Rupees 4296-10-4

2

Deducting from the above sum the amount subscribed by the Cart Owners and Maistries of Salem which has been applied for the purpose above referred to, the Net charge to Government is Rupees 326-2-4

Receipts.
1836—1185—8—0
1837—1364—0—0
1838—1420—0—0
3969-8-0

Revenue Board Office
Fort St. George
9th December 1841

/Signed/ P. B. Smallett
Secretary

To

Read the following letter

The Secretary to the
Board of Revenue
Fort St. George

(40)
From the Collr. of Salem

Sir,

I have the honor to inform you that I have not as yet received a reply relative to the continuance of Yeomiah to one Aleem Shaw as communicated in my letters of the 13th October 31st December 1840 and 22nd June 1841 Copies of which now accompany and to request that as the

Fort St. George 9th December 1841

Applicant is both poor and aged and is suffering the greatest distress from the small grant which she has solely to depend upon having been withheld these 3 years, you will obtain the early sanction of Government for a continuance of the Yeomiah.—

Salem
Print. Coll. Cutcherry
4th December 1841

/Signed/ J. D. Lyleg
Prin. Collector—

To

The Secretary to the
Board of Revenue
Fort St. George

Sir,

Para 1— I have the honor to request you will submit for the consideration and orders of the Board and Government the accompanying Report of a lapsed Yeomiah.—

2 A Faquer Enam of 386 Goontahs of Poonjah in 87 Goontahs of Punjah lands as well as a Yeomiah of Rupees 19—13—6 was originally granted

Fort St. George 9th December 184

granted by Abdul Mahyed Khan the
Nabob of Cuddapah to Ahmud Shaw
as a Maintenance, the precise date of
gift is not known, the Sunnud having
as stated been lost at the time of the
English War in Mysore, the Grant was
however continued by Hyder and Tippo
and about the time of the Country coming
into the possession of the British Govern
=ment, the Enam and Yeomiah appear
to have been enjoyed and continued
to Ahmud Shaws wife Peer Shaw who
remained in possession until 30th January
1839 when she died, leaving only two
Daughters Ameen Shaw and Allum
Shaw - The younger daughter claims
all, in consequence of the Elder on the
death of her husband, having gone into
keeping of another Man, whilst she remain
=ed with her Mother. -

3 This yeomiah is stated
in the Rejistry as hereditary the grounds
I have been unable to discover there is
no Sunnud and nothing to shew the

Fort St. George 9th December 1841

nature of the Grant, it is however of very
old standing, and as the two Claimants
are old and not likely to leave
any heirs, I would beg leave to
recommend the Continuance of it to
them in equal portion during the
period of their lives and payment
from the date of Peer Shaws death. -

Salem District -
Ojoor -
Prin.l Coll.r Cutcherry
13th October 1840 -

/Signed/ J. D. Gleig
Prin.l Collector. -

To
The Secretary to the
Board of Revenue
Fort St. George

Sir

Para 1 Referring to the Ex=
tract from the Proceedings of the Board
of Revenue dated 14th Instant I have
the honor to inform you that the
Enam lands which were in the pos=
=session of Peer Shaw at her death as
mentioned in my letter and the valu

18464 Fort St. George 9th December 1841

of which amounts to Rupees 8-9-9 per annum, is now in the posession of the younger daughter Aleem Shaw an old woman apparently about 60 years of age. In my Communication I intended to recommend the Continuance to the daughters of all that belonged to the deceased Mother, and as the amount of the Enam lands is so small, I trust the Government will have no objection thereto.

2. Aleem Shaw states that her eldest sister left her husband long ago and went with a Havildar belonging to what she calls a Black coated Regiment, perhaps the Artillery that by him she has four sons but does not know where she now is believes she is with her husband on Foreign services

Salem District
Office, Printer
Collectory
31 December 1840.

/Signed/ J. D. Gleig
Printer Collector

J.G.B

18465 Fort St. George 9th December 1841.

To the Secretary to the
Board of Revenue
Fort St. George

Sir,

I have the honor to request you will bring to the recollection of the Board the subjects referred to in my letter of the 13th October and 31st December 1840. The old woman who Petitions for the continuation of

1841 | Fort St. George 9th December 1841.

of the Peons is urgent in her solicitations and very poor.

Salem District
Office Principal
Coll.rs Cutcherry
22d June 1841.

(Signed) J. D. Hay
Pr. Coll.r

Order thereon — Ordered that this letter be submitted to Government for orders with reference to the Extract from the Board's Proceedings under date the 11th October last No. 434.—

Read the following letter

To

40-41

1841 | Fort St. George 9th December 1841.

To the Secretary to the
Board of Revenue

42

From J. Dent Esqr.
Commissioner in
Southern Circars
Madras

Sir,

With reference to my letters to you of the 23d June and 6th July last I have the honor to request that you will lay before the Board of Revenue the accompanying Copy of a Report of my Proceedings in South Arcot Circars I have this day addressed to the Chief Secretary to Government.—

Madras
31st August 1841

(Signed) J. Dent
Commissioner

To the Chief Secretary to
Government

Sir,

Para 1.— Referring to my letters of the 23 of June & 6th July last wherein I reported for the information of Government the completion of the Summabundy and the restoration of order in the Two Talooks of Chittoor and Tinderamunny I have now

Fort St. George 9th December 1841.

the honor to submit a more detailed
account of my Proceedings from the
date of my assuming charge of the
District of South Arcot. In doing
this I shall endeavour as succinctly
as possible to explain the nature and
extent of the dissatisfaction which
prevailed in some of the Talooks, the cause
which led to the same and the remedial
measures, which I considered it necessary to
adopt in my own responsibility and to
recommend, with a view to the speedy
restoration of confidence and good
feeling in the District.—

2 In the Minutes of Consultation
dated 28th May last, I was directed to proceed
to South Arcot to arrange matters with
the "Ryots and to allay the feelings of
"dissatisfaction which unfortunately
"prevail and after completely restoring
"confidence and order and bringing the
"settlement as far as practicable to a
"conclusion to make over charge of the

Fort St. George 9th December 1841.

"District to Mr. Ballett" and with a
view to give full effect to these instruc-
tions it was my first intention on assuming
charge to have proceeded at once to those
Talooks where a public demonstration
of bad feeling had been manifested, but
learning that symptoms of dissatisfaction
had also shewn themselves at Tiruccalore
and Tirunamallie, I determined to take
these two Talooks on my way to Chaultpet
and Tindevanum.—

3. It may be proper here to notice
that the late Principal Collector com-
menced the Summabundy settlement
of the year with the two Southern Talooks
of Manargoody and Chellumbrum, but
proceeded to the large Talook of Villapooram
which he settled early in April; from
Villapooram he went in succession to the
Talooks of Tiruccalore, Tirunamalie, Chaultpet
and Tindevanum, but before quitting

Villapooram

Fort St. George 9th December 1847

Villapooram heijmed an order on the 13th April to the Tahsildar of Tiruvalore and on the following day to the three last mentioned Talookahs enter in the Ryots' Puttahs and bring to account in the then current Fusly. mahbundy the tax upon all Nuttum lands occupied by the Houses of Ryots unless specially exempted from tax in the survey Accounts, or by subsequent authority. It may be as well here to quote the order itself from which it will be observed that the imposition of the Tax was not a thought of the moment, but had occupied Mr Ashs. best attention for some time.

Order.

"It has come to our misconception of the "orders contained in the Circular Tahseeds "issued on the 15th October of the present Fusly the servants directed that lands on

1847

Fort St. George 9th December 1847

"on which houses are built should be "measured and accounts thereof for- "warded instead of directing that a Tax "should be fixed on all Village Nuttum "lands on which houses are built, but "which are not exempted from tax either in "the Pymash or subsequently thereto "until the exemption may be allowed "regularly in the names of the owners "thereof as was ordered by me. This "error being brought to my notice just "now the following orders are issued."

"1st You are hereby directed to order "all the Curnums to enter in the Puttahs "of each Ryot the tax for Fusly 1250 on "the quantity of the land in which "his house is built but not exempted "from the tax either in the Pymash "account or by subsequent orders. It "is not necessary to levy tax on the lands "which are exempted therefrom for build-

ing

Fort St. George 9th December 184

"ing houses in the Pymash Accountorship
"subsequent to permission. The tax must also
"be levied on such lands as may be
"occupied by others than the heirs of
"the individuals in whose favor the
"exemption has been granted; as such
"occupants are not entitled to the exemp-
"tion".

"2d" You are to make a full
"investigation of all lands of Villages
"Puttums stated to be enjoyed by bills of
"Sale &c" and act according to the for-
"mer orders so that the tax thereon may
"be entered in the Puttahs of the present
"Fusly".

"3d" You are to inform all the Cur-
"nums that tax must be levied according
"to the Hookumnamahs on the lands of
"Seervah or Cudiah are occupied for Houses and
"Backyards with out obtaining exemption"

"4th" You are to put this order in
"force with out failure in all Sir Villages
of

Fort St. George 9th December 1841.

"of your Talooks and inform all the
"Ryots that if those that are entitled
"to exemption of Tax on the Puttums
"lands on which their houses are built
"and have desire to obtain it except
"the Soocawasy inhabitants who are not
"entitled to it, present their complaints
"separately in the Roy your such complaints
"shall be enquired into according to the
"rules and orders granted for the exemption"

"5th The complaints presented by the
"Ryots will be referred to you and a separate
"Takeed will be sent to you regarding the
"enquiry and transmission of the Accounts
"thereof by you".—

"Copies sent to the Sub Collector
"and Head Assistant Collector on the 22d
"April 1841."

(Signed) W Ashton
Pt. Collector

4 This order reached Triccalore
a few days only before the arrival of the
Principal Collector himself for the pur-

of making the Settlements, and here the first symptoms of dissatisfaction shewed themselves. On the first day of commencing the distribution of Puttahs the Ryots of a few small poor Villages took their Puttahs but immediately afterwards threw them down on the ground and refused to carry them away, they were gathered up and secured by the Manigars and Curnums of the respective Villages. On the following day an attempt was made to distribute Puttahs to some other Villages and the Ryots of two Villages received theirs, but immediately threw them down. The general feeling of the people was strongly opposed to the measures, and they came forward in a body and one and all declared their determination not to receive their Puttahs if the obnoxious tax was still demanded, and left the Cutcherry and

and went to their homes, here Mr. Ashton's authority seems first to have been weakened, and one of the crowd who was loudest in his expression of dissatisfaction was punished, with a view apparently of endeavouring to support the Principal Collector's authority but without success, the Ryots left the Cutcherry and the Puttahs were in consequence delivered to the Manigars of those Villages who were present the same evening, and to the remainder on the following day.—

5.— The same feeling against the objectionable tax prevailed to a greater extent at Trinamalie because it was more generally known. The Inhabitants of some small Villages took their Puttahs the first day of distribution and on the second day a few more, but all the Ryots having by that time arrived from the

Fort St. George 9th December

the more distant Villages
the whole proceeded in
a body to where the
Principal Collector
held his Cutcherry, and
for some time clamor-
-ously stated their ob-
-jections to the Tax laid
-by protesting against
it. - Mr Ashburner here
again attempted to main
tain his authority by
punishing one Ryot
who was conspicuous for
his noise, and his opposition
and upon this the whole
body

Comp.d

Fort St. George 9th December 1811

body declared their determination not to
receive their Puttahs, and simultaneously
quitted the Cutchery, the few who had
received them leaving them behind and
joining in the general Crowd. The Principal
Collector then late in the afternoon sum-
-moned the Monigars of the different
Villages by calling out the name of the Villages
Alphabetically, with a view to the remaining
Puttahs being given to them for eventual
delivery to the Ryots. such of the Monigars
as were present received the Puttahs at the
moment, such as were not, altho' they
attended and received them the following day,
were fined at the rate of 6 Rupees each, the
total amount of fines being 600. Rupees.

6 From Trinamalé the Principal
Collector proceeded to Chailput. Intelligence
of what had occurred at Triccalore and
Trinamalie had preceded the Prin.l Collect.r
and here no doubt many of the most
dissatisfied from both those Talooks
had assembled, and the opposition to the
new tax was therefore more determined

and

Fort St. George 9th December 184-

and organized. The Principal Collector ap-
seem here as at the other two stations
have relied upon the Monigars of
the Villages taking the Ryots Puttahs
in the event of the Ryots themselves de-
-clining to do so. at chaitput however, he
was entirely disappointed in this
respect, as on the first refusal of the
Villagers to take their Puttahs and Mr
Ashtons directions in the event of
their persisting in this course that
the monigar should take them, it
was intimated from the crowd that
no Monigar would be permitted to
take the Ryots Puttahs when the Ryots
themselves were present and had
declined doing so. Violent noise and
clamour succeeded to this declaration which
Mr Ashton attempted to put down by
directing some of the most forward to be
secured. He utterly failed however to restore
quiet or to make himself heard, and some of the
crowd having proceeded so far as to throw

Fort St. George 9th December 184-

sand at him. seeing his authority completely
set at naught, he retired into an inner
room having up to that time been
sitting in the Verandah of the Bungalow
where he held his Cutcherry. and after
consulting for a moment with his Head
sheristadar, and seeing no prospect of
making any impression upon the crowd.
quitted the Bungalow by a back outlet,
and proceeded to an Indigo factory at
the distance of about a quarter of a
mile, followed by the people the moment
they saw him going away.

From Mr Ashton
4th May 1841.
No. 1.

7. Mr Ashton has himself given
a particular account of what afterwards
took place, and it is only necessary for
me here to observe that he immediately apprised
the people from the factory that the objec-
-tionable tax should be abolished, and
caused this to be made known by beat
of Tum tom thro' the town. In the
afternoon he returned to his tent in
the Bungalow compound, attended by
the

the Head sheristadar, and then issued a public notice to all the Talooks wherein the imposition of the tax had been ordered, proclaiming its formal abolition. No further symptoms of dissatisfaction were manifested, but Mr. Ashton quitted chaitput for Cuddalore on the following morning.

8 Mr. Ashton remained at Cuddalore a week and then proceeded to Tindivenum with a view to complete the settlement of that talook, but on his arrival there, notwithstanding the abolition of the objectionable tax he considered the demonstrations so unfavorable that, as reported in his letter of the 25th May, he looked upon it as hopeless, with his weakened authority, to make any attempt to proceed with the settlement, and after halting there one day returned to Cuddalore.

Enclosure No. 2.

9. There is no doubt that the imposition

imposition of the Tax on the Nuttum Lands occupied by the houses of Ryots which had never before been attempted was the immediate cause of the tumult at chaitput. This is clear from the effect produced at Triccalore immediately after the order to impose the tax had been issued, and if the tax had been in itself ever so unobjectionable, and imposed with the sanction of Government, it was injudicious I think attempting to introduce it at the end of the fusly into the four Talooks remaining to be settled in the Principal Collector's Division, whilst no such attempt had been made in the Talooks already settled by the Principal Collector or his subordinates earlier in the year. this was of itself sufficient to excite a feeling of jealousy and dissatisfaction.

10 Mr. Ashton it has been observed

observed I issued a notice annulling the house tax immediately after the outbreak at chailput, but as uncertainty still prevailed upon this point, and as the people continued both personally and in their petitions to me to request that the annulment might be confirmed, and that their houses and backyards whether constructed on teermaput lands or nuttum might be exempted I issued a Proclamation of which the following is a copy, notifying that the tax upon Nuttum lands was abolished, that houses and backyards already constructed on teermaput land would be exempt from tax, and detailing the terms upon which lands required for building or backyards would be granted for the future. In issuing this Proclamation I took for my guide the principle laid down in the Proceedings of the Board of Revenue under date 7th May 1861

Enclosure No. 3.

which appeared to take so liberal and just a view of the question.

Proclamation.

"The Nuttum or Land set
"apart for the sites of Villages has been
"exempt from tax from time immemorial
"and such exemption is specially recognized
"in the Pymash accounts of this District
"whether occupied by the sites of houses or
"backyards attached to such houses the
"extent of land occupied by each individual
"being restricted. In conformity with the
"above understanding and with a view
"to satisfy any doubts which may have
"existed it is hereby published for general
"information, that portions of Nuttum oc-
=cupied by houses and backyards shall
"be exempt from all tax whatever, altho'
"the said backyards as is usual, maybe culti=
=vated with Tobacco and vegetables for the use of
"the occupants and altho it is not the wish of
"the Government that cultivation should be

carried

"carried on to any extent in the Nattum
"still as it is the practice in many
"Villages to cultivate portions of
"Nuttum besides the spots occupied
"as backyards - all such cultivation
"shall continue to be charged according
"to the provisions of the Hookumnamah
"with the highest rate of Poonjah tur-
"wah of the Village".

"In some Villages, either
"from insufficiency of Nuttum or other
"causes, Ryots have erected houses and
"enclosed backyards in teerwaput land,
"without the permission of the circar
"Ground so occupied is clearly liable
"to the survey assessment fixed on such
"land, but as the imposition of the
"tax now may press hardly upon
"some individuals, the tax upon
"such houses and backyards as
"are actually now in existence

will

"will be remitted, provided the
"extent of such backyards is not
"greater than that allowed by
"the scale for granting manimauf
"sanctioned by the Board of Revenue
"and Government in Fusly 1243 - but
"no teerwaput land hereafter -
"taken for building or backyards
"without the permission of the Circar
"will on any account be exempt -

"All tax levied on
"houses and backyards in Fusly
"1250 contrary to the rules -
"above recited will be -

Remitted

Fort St. George 9th December 184

"remitted and struck out of th

"accounts"

/Signed/ "J. Dent"

"Commissioner"

11 But tho' the imposition of the House tax was without doubt the immediate cause of the Violent expression of popular feeling at Chaitput, there was another and more fruitful source of discontent in the District, this was, the system of transferring lands from one Ryot to another without the consent or Knowledge of the last holder.

Fort St. George 9th December 1841.

12. The people at each place where I halted were clamorous for redress upon this point, they represented to me that their patrimonial lands, lands obtained by themselves by mortgage, purchase or otherwise - their Gramanutteem lands, in many of which they had dug wells or otherwise improved by planting trees &c. spots occupied for back-yards and straw-yards &c. - portions of Puttums purposely left to waste for the convenience of the Villagers themselves, or for their cattle, were given to others on Durkast without their consent and praying that such lands so improperly transferred should be restored to them, and that none of their lands might in future be taken from them and given to others

13. - On one of their Petitions, after stating their grievances on this head generally, they again revert to it in a subsequent part in the following

Fort St. George 9th December 184

following terms.-

Note. This no doubt alludes to cases where Ryots had left their land waste and hearing that a proposal was likely to be given for it, had in the interim cultivated it themselves with a view to keep the proposer out of possession.

First. Their land is given on Dirkast with the produce upon it, which is enjoyed by the Dirkastdar and they are ruined.-

Second. Their back-yards with wells in them, straw yards and sheds for their Bullocks &c are in like manner given on Dirkast, the Dirkastdar enjoying the whole to their loss.-

Third. Dirkasts are accepted for Durma Topes, Tandavans, Streets and grazing grounds, and any trees &c upon them, given to a Dirkastdar who sells them for his own profit.-

Fourth. If two persons give proposals for the same ground without

1789 Fort St. George 9th December 1841.

without any enquiry being made into the ability or otherwise of the proposer, a special es Moochilka is taken from the one who gave the first proposal, if he agrees to cultivate, if not from the other, and no matter whether he cultivates or not, he is required to pay.-

14. An Abstract of the actual details and extent of each particular proposal I was unable to obtain during my stay in the District. the following Statement however of the number of proposals given in Fusly 1248. and the total quantity of lands proposed for, will give a tolerable idea of the extent of land included, on an average in each proposal.-

Statement

18490

Fort St. George 2nd December 1841.

Statement shewing the extent of lands made over on 2[illegible] portion thereof cultivated and left waste in Fuoly 1248.

Number.	Talooks.	Total Dirkast.	Poonjah, Nunjah and Totacal lands made over by the Tahsildar as per Dirkast shewing the Teerwa thereof			Deduct the lands of Poonjah, Nunjah and Totacal and the Teerwa thereof uncultivated not included in the Summabundy.			Net.								
									Cultivated lands included in the Summabundy.			Waste lands included in the Summabundy on special Mouchilkah.			Total in Nos 6 and 7.		
1	2	3	4			5			6			7			8		
		Nos	Cs	a	Ps	Cs	a	Ps	Cs	a	Ps	Cs	a	Ps	Rs	a	Ps
1	Tiruvady	1,016	1,964	2 7/8	8,621. 9 1.	160	14 1/2	1,135. 2 7.	490	1/2	4,656. 15 2.	413	2 7/8	2,829. 7 4.	7,486	6	6.
2	Tindevanum	1,144	2,061.	6 3/4	9,919. 13 9.	279.	13 1/2	1,283. 11 4	877.	10 1/4	4,961. 10 6.	903.	15.	3,644 7 11.	8,636.	2	5.
3	Villaseeraon	"	"	"	" " "	"	"	" " "	"	"	" " "	"	"	" " "	"	"	"
4	Buvangheary	173	387.	5 3/4	1,083. 4 7.	"	"	" " "	249.	10 1/4	1,230. 10 7.	80.	5 1/4	426. 10 11.	1,657.	5	0.
5	Mannarzoody	99	216.	6 1/2	1,566. 1 8.	7	6 1/4	31 15 4	136.	1 3/4	1,159. " 1.	63.	4 3/4	377. " 7.	1,536	6	8.
6	Ellumbrum	"	1,370	9 1/4	8,594 2 3.	10	10 1/4	40 14 6.	536.	2 1/4	3,805. 2 5.	833.	4.	4,776. " "	8,581.	2	5.
7	Thinamallie	74	89.	13 3/4	317 4 10.	1	3.	12 15 11.	43.	13 1/4	134 5 9.	15	6 1/4	53. " 9.	187	6	6.
8	Verdachellum	"	"	"	" " "	"	"	" " "	"	"	" " "	"	"	" " "	"	"	"
9	Ellavanasore	"	"	"	" " "	"	"	" " "	"	"	" " "	"	"	" " "	"	"	"
10	Thicullore	837	695.	2 3/4	4,933. " 3.	156	4 1/2	1,028. " 3.	479.	2	3,514 12 "	59.	13 1/4	390. 4 "	3,905	"	"
11	Cullarcoochy	"	"	"	" " "	"	"	" " "	"	"	" " "	"	"	" " "	"	"	"
12	Chaitput	229	189.	5 1/2	1,961 5 11.	8	13 1/4	83 2 "	81	4 1/2	493. 13 8.	99.	3 3/4	484 6 3.	978.	3	11.
	Cuddalore	170	108	3.	504 2 3.	1	3 1/2	14. 14 8.	30.	6 3/4	161. 13 3.	70.	8 3/4	327. 6 4.	489	3	7.
	Total	3,542	6,132	8 1/8	37,206. 12 7.	662.	15.	3,760. 10 7.	2,924.	4 1/2	20,118. 3 5.	2,544.	15 5/8	13,338. 12 1.	33,457.	5	6

In

Fort St. George 9th December 1841.

15.- In the first Talook it will be seen that the number of Dirkasts was 1015 whilst the number of Cawnies proposed for was only 1064, giving little more than an average of one Cawnie to each Dirkast- and it is clear that it could not have been the object of the proposer to cultivate the land, as on reference to Col.s 5 and 7. it is seen that out of the total extent proposed for, the quantity left waste very considerably exceeds the quantity cultivated, though a very large portion was included in the Cummah= =bundy and charged with as Teerwah which was left waste.

Cawnies.
Col.s 5&7- 573.
" - 6 - 490.

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But the fact is that the proposals for the greater portion were for small fractions of a Cawnie, and in many cases given out of pure enmity with a view to cause annoyance to the last holder - This will be further manifest on reference to the number of suits instituted against the late Principal Collector- Out of 37 suits 27 are for fractions of a Cawnie as shewn in the following Memorandum.

Memorandum

1849 | Fort St. George 9th December 1841.

Memorandum of Suits filed in the Auxiliary Court at Cuddalore against the late Pr. Collector Mr. Ashton.

Number	Year.	Talook.	Description of Land.	Extent of Land.		Value of Suit.		
				Cl	a.	Rs	a	p
1	1839.	Tindevanum	Nuttum	"	1	52	8	"
2	1840.	Do	Do	"	6	32	"	"
3	1840.	Do	Nunjah	"	10	5	7	6
4	1840.	Do	Do	"	9½	4	14	"
5	1840.	Do	Do	2	10.	32	"	"
6	1840.	Do	Do	"	6½	8.	"	"
7	1841.	Trevandry	Nuttum	"	4	15.	"	"
8	1841.	Do	Poonjah	4	¾	35	1	10.
9	1841.	Do	Nuttum	"	23/4	30.	"	"
10	1839.	Villapooram	Nunjah	"	7½	6	9	
11	1839	Do	Poonjah	"	9 3/4	121	8	"
12	1839	Do	Nuttum	"	3½	10.	"	"
13.	1839	Do	Nunjah	"	6.	7.	14	4
14	1840.	Do	Do	"	3.	3	6	4
15	1840.	Do	Nuttum	"	½	15.	"	"
16	1840	Do	Poonjah	1	"	270.	"	"
17	1840.	Do	Nunjah	1.	15½	27.	"	"
18	1840	Do	Do	2	11¼	45	10	8.
19	1840.	Do	Nuttum	"	2½	60.	"	"
20	1839	Chaitput	Do	"	½	15.	"	"
21	1840	Do	Nunjah	"	9¼	3.	"	10.
22	1840.	Cuddalore	Nuttum	"	3½	50.	"	"
23	1840.	Chedumbram	Poonjah	1	8¼	57.	"	"
24	1840.	Do	Nunjah	"	8.	55.	"	"
25	1840.	Do	Gobden	"	2.	31.	14.	"
26	1840.	Do	Nunjah	3	10½	30.	7	6
27	1840	Do	Do	4	12¼	45	12	7.
28	1840.	Do	Nuttum	"	1¼	50	"	"
29	1840.	Do	Do	"	½	30	"	"
30	1840.	Do	Garden	"	4	27.	"	"
31	1840.	Manargoody	Poonjah	1	¼	50.	"	"
32	1840.	Do	Nuttum	"	¼	10.	"	"
33	1839.	Do	Nunjah	8	½	108.	"	"
34	1840.	Do		—	—	30	"	"
35	1841.	Trevandy	Totum	"	¼	14.	"	"
36	1841.	Tindevanum	Do	"	2¼	9	"	"
37	1840	Manargoody		38.	8.	1407	9	8.

Fkc

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16. The object of Mr. Stokes in encouraging the Ryots to come forward with Dirkasts was with a view to benefit the lower orders by enabling them to obtain lands by direct application to the Collector, without the interference of the Heads of Villages, but however benevolent the intention may have been from the way in which the system was carried out in practice, what was intended as a benefit was converted into a source of vexation and annoyance, for which it is difficult to find a parallel. Such was the state of uncertainty of property that there are many instances of a Ryot, who had from unavoidable causes left a portion of his land waste, himself giving a proposal for it and agreeing to pay the teerwa to prevent it's falling into the hands of another who might give a Durkast for it. This is no hypothetical case. If reference be made to my Summabundy Diary, not one but

Fort St. George 9th December 1841.

but many cases of the kind will be found.

17. The Ryots were so pressing for redress on this point, that I had no alternative but to come to some decision and pass some orders before the business of the settlement could proceed.

Minutes of Consultation 28th May 1841. Proceedings of the Board of Revenue 31st May 1841. Enclosure No. 4.

18. The orders of the Board and of Government noted in the Margin enabled me at once, without the necessity of any reference or loss of time, to issue such instructions as satisfied the people. In the case of land at Tundeerwera-nellore, the subject of the above correspondence, Government were pleased to approve of the instructions issued by the Board for the restoration of the land in dispute to the Ryots who were previously in the enjoyment of it, and in forwarding the above correspondence for my information and guidance, my particular attention was drawn to the principle there laid down, which it was the desire of the Board should be applied to all similar cases

of

"of land improperly transferred from an ousted
"holder to a new occupant, whether they are
"pending before the Courts of Judicature, or
"been brought to the Board's notice by a
"=ple Petition". The Board had also issued
orders to restore certain other land forming
the subject of the suit referred to in the
correspondence noted in the
margin, to the original Proprietor
the same having been made over
to another on Darkast without
his consent, or the option being given him
of cultivating.—

Board's Proceedings 25th March 1841.
From Principal Collector 2nd April 1841.
Board's Proceedings 22nd April 1841.
Enclosures Nos 5 - 6 - 7.

19. Carrying out this principle
I issued another proclamation on the 8th June
defining the rules under which lands
would be given on Dirkast for the future,
and further directed by another noti=
=fication that all Lands within five
years waste, transferred without the
consent of the original Proprietor from Fusly
1248 to 1250. both inclusive, should be restored
to their former occupants. Copies of both these
Documents I give in the body of this Report
for more ready reference as follows.—

8th June 1841.

Dated 16th June 1841.

Proclamation.

"Much dissatisfaction and vexation
"having been occasioned by the present practice of
"accepting proposals for spots of land forming part
"of a Ryots kyput or holding, temporarily left uncultiv=
="vated; general notice is hereby proclaimed throughout

"the district that no proposal will be ac=
"cepted for any land which forms any part
"of the holding of another Ryot that may
"be left waste for more than one year
"and any period within 5 years without
"the option being first given to the last
"holder to cultivate it himself or pay
"the teerwah Upon the last holder declin=
=ing to do either the land will be given
"to the proposer on his engaging to cul=
=tivate the same and also to keep up
"his Kyput to the extent of the present
"year and upon his ceasing to cultivate
"the land it will be at the disposal of
"the Circar to give it in like manner
"on the same conditions to any other
"proposer."—

"Lands forming the Kyput
"of a Ryot which he may have left
"waste for more than 5 years may be trans=
=ferred by the Collector to the possession of
"any other individual without any reference
"whatever to the last holder on his engaging
"to cultivate it as well as his other
"kyput land."—

The

"The above provisions rela
"entirely to proposals given by Coleoodi
"no proposal will be accepted from a
"Paracoody for the cultivation of Sheikd
"Karumboo in any Village until the ofte
"has been given and declined by the Pa
"coodies, but in the event of a Paracody
"application being accepted he must
"enter into similar engagements as the
Coleoody to cultivate not only the lan
"given up to him on proposal, but his
"other Puttah lands also."—

8th June 1841.

/Signed/ "J. Dent"
"Commissioner

Notification

In the Proclamation publi
:shed under date 8th Instant regarding
the right of inhabitants to retain pos
:session of their Kyput lands it is pro
:vided that such rights will be respected
for 5 years And whereas contrary to
this provision portions of a man's
Kyput lands which may have been
waste within five years have been

"transferred since 1848 to others without his
"consent, the same will be restored to him from
"Fusly 1251 on his executing a Moochilka for
"it. If he declines to hold the land, then
"it may be confirmed to the person who
"gave the proposal."—

"Another notification was
"published on the 8th Instant regarding
"the terms upon which Nuttum or land
"set apart for the sites of Villages would
"be granted and continued to Ryots, and
"whereas portions of Nuttum have been granted
"on Durkast for cultivation since Fusly 1248 and
"for which Puttahs have been given these will
"be restored to the former proprietors in Fusly 1251.

"Any Nuttum land left unoc
:cupied for a length of time if built upon by
"any other Ryot will be restored to the original
"owner if afterwards claimed."—

"As it is not the wish of
"Government that Cultivation should be
"carried on in Nuttum lands no Durkast
"will be accepted for such lands."—

16th June 1841

/Signed/ "J. Dent"
"Commissioner

In

Fort St. George 9th December 1841.

20 In declaring that no person of a man's kyput lands which he may have left waste for one or more years shall be transferred to another within the period of five years without first giving him the option of cultivating it; it may at first view appear that the prerogative of Government to dispose of the waste has been in some degree compromised but a careful examination will shew that this principle is still upheld in all its purity. The Government contents ing to exercise the right of transferring land left waste for more than one year but in the exercise of this privilege first giving to the last occupant who may have improved the lands in various ways the option of remaining in possession by paying the regulated tax if this option is declined the Government transfers the land to any one willing to cultivate it.—

21 In this proclamation it is only sought to define by a public declaration what until lately it is

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believed was the practice of the District and which certainly seems a most reasonable one, that no transfer of one Ryots kyput land to another should be made without his knowledge and consent or his declining to pay the tax upon it. By thus guaranteeing to the occupant as that he would not be deprived of possession any time within five years without the option being first given to him. No right of Government was compromised whilst the security thus given to private property was received by the people as a boon of inestimable value.—

22 Some objections it was to be anticipated would be made to give up lands which had been in possession of the Dirkastdar for two years and I had a petition from a party complaining of being turned out after being in possession for 26 months and expending as he said a considerable sum in improvements, of this man believing it to be the intention of the Board and of Government that all

Kyput

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by put lands transferred from the possession of one Ryot to another without the consent of the last occupant should be restored & I gave the following Endorsement.—

"The orders of Government are that all lands such as described "in this Petition shall be restored to "the original Proprietors and their order "must be carried into effect."—

"The Dircastdars at the time "that they were put in possession of such lands "were aware that it was contrary to the wish "of the original Proprietors who in many "instances prosecuted the Dircastdars "in the civil Courts and if under these circ- "cumstances the Dircastdars have gone "to any expense in digging Wells or other- "wise improving the lands they did so at "their own risk and must now suffer the "loss unless the original Proprietors are "willing to make them any compensation

"The Commissioner regrets that the "Prayer of the Petitioners to be maintained "in possession of the lands cannot be "complied with."—

18th June 1841

(Signed) "J. Dent."—
"Commissioner"

Petition No. 680.
"Complains of being turned out after being in possession for 26 Months and expending a considerable sum in improvements."—

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23

I had a Petition from another party complaining that the proposer who had been put in possession of his lands had cut down all the trees and sold them to him I gave the following Endorsement.—

"If the Petitioners upon "their lands being restored to them "find that the Topes and Trees have "been cut down and sold and their "property otherwise deteriorated they must "prosecute the Dircastdar in the Civil "Courts for damage The powers of the "Commissioner extend only to the resto- "ration of the land but he will very "gladly be instrumental in adjusting "by means of Arbitration any claims "for damages which may be brought "before him where the parties agree to "such a mode of decision.—

(Signed) J. Dent
Commissioner

18th June 1841.

Petition No. 681
"Complains "that the pro- "poser who had "been put in "possession of "his lands has "cut all the "trees and sold "them."—

24

Where the crop was on the

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the ground I directed that no red
for should take place till th
Crop was reaped unless a comp
mise was agreed to by the
parties.—

25

The orders issued by
me in reference to the restoration
of lands and the terms on whic
proposals will be received for the
future involving interests of consi
derable magnitude I have been thus
minute in detailing every particular
connected therewith in order that
the Government may have the full
information on the subject before
them.—

26

From the state of excite
ment in which I found the people
it was to be expected that they would
take the opportunity of bringing
forward every grievance imaginary
or real of which they had to com
plain and accordingly, at each
station where I halted, I had a long

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list of grievances presented to me for
which immediate redress was solicited
The greater number were the same
at each place and it may be suffi:
cient here without giving an exact
translation of the Voluminous Petitions
purporting to be signed by some thousand
persons that I lay before Government
the subject of them in Abstract with
the answer which I returned upon
each point.—

27

The two first items of
Complaint, Viz. the House tax and
the Dircast system being disposed of
the Petitioners Pray.—

3rd That the full amount 3rd From the
of Minha (10 per cent earnestness with
Remission) may be allow: which this point
ed on all lands of Bra: was presed upon
mins and Mufselmans my attention advocat:
whether they are Cultivated ed by the Elite of
by themselves or Cultivated the Bramins and or
by soodra Ryots either for Tee: Mufselmans of the
wah or warrum (share of the District it seemed
Crop.) to claim the third
place

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place of importance in the list of
grievances and I had some diffic
in satisfying them. The following
the answer I gave the Petitioners a
son grounded upon reference to t
Records and practice of the Dist
for years, and I believe it strict
just and agreeably to this view of
a public order according to which
adjustment of Minha was made f
Fusly 1250 in Chaitput and Tindivanam

Order

"All the old orders of Government
"require and the practice of the District has
"been to give Minha to Bramins and Mufs
"many upon their own Cultivation only wh
"a Bramin has allowed a Soodra to Cultiv
"part of his field and the Bramin has Cultivate
"the remainder himself Minha has been
"granted to the Bramin for the portion
"Cultivated by himself but not for that
"portion cultivated by the Soodra."—

"On the principle above
"laws for which there are innumerable
precedents, if a Bramin cultivates his
"own Puttah land jointly with a Soodra

"he

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"he shall receive Minha for such portion
"as he can prove to have been cultivated
"by his agricultural stock, but no more"—

"No instance can be found on
"record of Minha being allowed on land
"given to Soodras for Cultivation on warum
"whilst innumerable cases are on record
"of its having been refused in such cases"—

If Land is given to a Soodra
"to Cultivate on warum it cannot for
"a moment be alleged that the cultiva-
"tion is made by the Bramin. The
"Cultivation is entirely conducted by
"the Soodra and no Minha has ever been
"allowed and none can be allowed."—

"According to the above direct-
"ions the adjustment of Minha must be
"made in the current fasly 1250."—

/ Signed / J. Dent
Commissioner"

+/ Principal Collectors Diary for the Villupooram Talook Fusly 1246 Nos 5 14-15-48.

Chaitput 13th June 1841—

4th Pray that they may be only required to pay for the actual extent of their Cultivation in wet and dry lands and not for portions of fields left waste—

4th The practice of Ryots Cultivating a part of a field only leaving the rest waste led to the very wholesome regulation of requiring them to pay for a certain quantity

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quantity no matter how little was
actually cultivated. Under th
rule if a Ryot cultivates any
portion of a dry field measuring m
than one Cawnie he is required to
pay for one Cawney. the minimum wa
formerly two Cawnies In wet lan
in like manner he is required to
for half a Cawny. the minimum for
was one Cawney in both cases it w
reduced in Fusly 1245 the larger amou
having been charged up to that date fr
Fusly 1231 — There seems no reason to wish
any alteration in the present practic
5th Pray that if Cultivation is made upon Pooniah or dry land is ex
land and watered by Wells dug at their own expense or by Circar water no Kist
sur may be charged —

5th If Cultivation is carried on by means of wells dug at the Ryots own expens
no Kuyser or Exter
charge for water i
made according to th
Hookumnamah of 1831 f
Circar water either from Tan
or Circar Well is made use of
Kuyser is charged according to the same

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same Hookumnamah, but was much
reduced in Fusly 1245 and the charge
rendered uniform throughout the District.
The present rates are 3 Rupees per
Cawnie for Poonjah Kuyser, and 6 Rupees
for Nunjah — these rates I think are too
high, and I have recommended in the
Hookumnamah submitted for sanction,
that the charge should be reduced
respectively to 2½ and 5 Rupees.

6th Pray that if any portion of their Cultivation is absolutely des=troyed by drought or inundation, that no teerwah may be charged for such the present practice being to charge teerwa if the result of a Man's entire Cultivation be such as

6th The rules for remission for perished Crops having been framed under the orders of Government in Fusly 1233 — I have no author=ity to alter them without the spe=cial sanction of Government.

Rule Government 4th March 1825.

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as to enable him to pay, by which he not only incurs the absolute loss of seed and labour, but pays for what he receives no advantage from.

Note.

I consider these rules in South Arcot, particularly where they have been strictly applied, to be too stringent. Where the teerwah is so heavy Compared with other and neighbouring Districts some discretion should be allowed to the Collector to relax the rule, and I would most strongly urge upon Government the propriety of allowing remission upon all crops utterly destroyed, that is when they are left on the Ground, the Ryot not considering it worth his while to cut them. When notice is given of such a state of things at the proper time, and opportunity afforded for examination, there is no

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no fear to apprehend fraud.

Under the present System many poor Ryots are compelled to pay where they never reaped, and the Consequence is embarrassment to them, and ultimate loss to Government.

9th Pray that the Amount of allowances due to the Monegars and Curnums may be Credited to the Ryots due by them to the Circar instead of their being Compelled to pay the full amount of the Rists, before they receive their allowances.

9th There seemed to me no objection to a Compliance with the request of the Petitioners, such having been the practice formerly, and I issued orders accordingly.

8th Pray that Brinjalls, Chillies and other Vegetables Cultivated

8th This Request appeared to reasonable, that

cultivated on Kunjah land by means of wells dug at their own escpense, may be charged only with the turnveer=wah of the land, instead of with garden teerwah as at present=

that I could make no objec=tion to it, the water being pro=vided by the Ryots themselves, all that Govern=ment Could ex=pect was the teerwah fixed upon the land, and I have entered a Modified Clause in the Nookummah (46.) to this effect. If garden cul=tivation is made upon Kunjah land by Means of water provided by the Circar, whether from tanks or wells, Garden teerwah is to be charged.

9th Complain that the boundaries of the fields are not Suf=ficiently defined and that in consequence

9th The grievance here Complained of was very fer=cibly brought to my notice in

consequence a Ryot intending only to cul=tivate in one field and believing that he is doing so finds that he has encroach=ed upon one or two others, and is charged for the whole of such fields or to the extent of one Cawny in each, they therefore pray either that the boundaries of the fields may be clearly defined, or that they may not be called upon to pay for parts of other fields cultivated by them in ignorance of their doings.

in a great num=ber of individual Complaints at the Summabundy, and I have en=deavoured to rectify the evil by a Modifica=tion of Clause 13 of the Hoo=kummanah which I hope will prove Satis=factory.

All

10 Complain

10th Complain that the Charges on Garden and Wet lands watered by means of Picottahs from Wells are so high, amounting to 30 Rupees per Cawney, that they cannot afford to cultivate them, and that much land is in Consequence left waste. Complain further that all Wells mentioned in the Pymash accounts together with all other Wells in existence before the Pymash, although not specially mentioned

10th All lands watered by means of Picottahs from Wells and classed at the Pymash as "Croopah Puttah" are entitled to 25 per cent remission, and it appears but reasonable that all lands subsequently converted into "Croopah fields" should receive the same indulgence. In parts of Trinomaly lies and Chairpauk a considerable extent of this description

mentioned are considered as "Circar Wells" and Russer Charged for any Poonjah land watered by them although it is known that the Wells were Constructed at the expense of their ancestors, and are Kept in repair at the Ryots own expense - they Pray that no Russer may be Charged in Such Case.

description of Cultivation is carried on. the Wells, so called, are in many places small Tanks of a Considerable depth and faced with rough stone, and Russer is charged for water taken from them if entered in the Pymash as old wells. although the Repairs may be made at the expense of the Ryots. The total receipts from Russer upon

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upon Lands watered by Wells in=
Fusly 1248. was Rupees 2780-1-7- of
which Rupees 665-2-2. were collected
in Trinomallie, and Rupees 512.
15-6 in Chaitput. The Charge how=
=ever has been made ever since
the Pymash and the abolition of
it may lead to further demand.
I have proposed in the Hoobburd=
=namah that all lands (Nunjah
and Poonjah) watered by Peeottahs
shall be entitled to the 25" per=
Cent remission, and this indulgence
and the General reduction of the
Rusoor will I hope satisfy
every objection on this point.

11th If a Ryot culti=
=vates a field. new=
=ouring) according
to the Pymash
accounts 2¼ Cawnies
but in reality only

11th As under the ordinary
rules for bring=
=ing to account
portions of
fields cultivated

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2 Cawnies, he is require
=ed to pay for the full
extent according to the
Pymash. I pray that in
such case he may
be required to pay
for the actual extent
of land.

a Ryot under the
circumstances stated
would only be requir=
=ed to pay for 2
Cawnies, he can only
in the case here
quoted be required
to pay for the extent
Cultivated if above 1 Cawny
in Poonjah w/ ½ a Cawny in
Nunjah.

12th The situations of Mon=
=gars and Curnums have
always been considered
Meerassy and hereditary,
but since the
resumption of
Government of
the Maniums attached
to their situations and
the grant of a fixed
Money allowance
in lieu thereof, they
have

12th Under the
existing regula=
=tions and orders
of the Board of
Revenue, no Mon=
=igar or Cur=
=num can be
removed from his
situation except
for fraud or utter
incapacity for
the performance of
his duties, and not
then without reporting
the

have frequently been dismissed for trifling faults, and Strangers appointed in their room without reference to their Meerassy right - Pray that they may not be dismissed or deprived of their Meerassy for any fault whatever, and that the Inam=ms may be restored to

the circum=stance for the Sanction of the Board of Revenue as is per order dated 25th August 1831 - In the former Case it seems quite necessary that this power should be reserved, but care will be taken that the rules are Strictly adhered to, in the latter case wherever there is a qualified relation of the party re=moved he is Selected

to them as in Chittoor. — selected to fill the vacancy - It is not considered desirable after thirty years experience to make any alteration in the present Mode of remunerating these Village Officers -

13th Complain in Tinde=vanum particularly of the land tax being excessive, the same description of lands paying 5 Rupees per Cawny in Tindevanum which are charged 2½ Rupees in other Districts - Chinglepat, Chittoor, &c. This the Petitioners attribute to the fraud of the Servants at the time of the Survey and pray that it may be reduced, or that the old System

13th Thirty years experience of the Survey rates has led to the Con=clusion that they are generally fair, and the System has been found to work so well that it does not now seem expedient to change it - But in any Village where the rates can be shewn to be too high, an examine=tion will be made with a view

system of a division of the Crop may be reverted to -

14th When the Govern=ment took charge of the Revennues of the Pagodas and included the Collec=tions of them with the Circar Revennue, they fixed a Tusdeek to each large Pagoda and if there has been any surplus it has been Kept in deposit in the Circar Treasury instead of being esc=pended in the repair of the Pagodas and purchasing Jewels &c. Pray that the surplus of each Pa=goda may be made over to it -

view to reduc=ing them -

14th At pre=sent when=ever re=pairs are required to any Pagoda if there are any Funds in deposit they is sent upon applic=ation and such will be done now if any applic=ation is made.

16th Pray that all cul=tivation made in their backyards, such as chillies, Tobacco, Ve=getables &c. for their own use, as well as all Trees growing therein may be exempt from Jeerwab -

15th A Compliance with both these requests has been recommended by a clause to the effect prayed being inserted in the Hookumnamah sections 134 & 136 -

The first it is believ=ed is usual in all Districts. and if not clearly understood to be so in South Arcot should be made so - It has always been usual to exempt as many as four Trees, Cocoanuts or other descrip=tion, in a Ryot's back Yard - it seldom happens that he has double that number and taxing the remainder leads to vexa=tious interference which it is desirable to avoid, I have proposed therefore, and most strong=ly recommend, that as backyards are themselves exempt from tax so all productions reared upon them, of whatever Kind should be exempted likewise -

16th Pray that advances for Cultivation may be

16th It is the desire of Government to

be given to them as formerly, according to their actual wants and not according to their Beriz. Pray further that the Munegars and Curnums may receive advances for Cultivation in Common with other Ryots, they having of late been deprived of this advantage.

17th Complain of the system under which Teerwah is at present levied on lands planted with Topes a fixed Teerwah is assessed upon the land and according to Justice this only should be paid without reference to the produce, but contrary to this if they plant a Tope on Poonjah land, the Teerwah upon the land is levied until the trees bear fruit, and after that the

to limit as much as possible the issue of advances for cultivation, but as long as advances are made they will be given to persons most requiring them, without distinction as to their being Munegars and Curnums or otherwise.

17th I have proposed such a modification of the Heedumunnaul in this respect as I believe will meet the wishes of all parties. Topes planted on Poonjah lands and watered by private wells are for the future to be subject only to the Turuvu Teerwah of the land from

the land Teerwah or a separate tax on each tree, according to whichever may be the highest. They pray that the term Teerwah only of the land may be levied.

from the first occupation of it but to no addition when the trees yield produce. This appears entirely in accordance with the late orders of the Honorable Court that Teerwah should be charged upon the land and not with reference to the produce. If the Tope be irrigated by means of Circar Water the usual Kuffer Teerwah will be demanded so long as the water is supplied, but when this is no longer required nothing more will be charged than the Teerwah of the land whatever that may be. The modification here proposed will be received with great satisfaction and will have the effect of encouraging the planting of Topes, the want of which in South Arcot is very remarkable.

If

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18th If Nunjah cultivation is made on Poonjah land by means of Circar water, Nunjah Kuffer is charged on the same principle — they Pray that if Poonjah Cultivation be made on Nunjah land, Poonjah Teerwah only may be charged. The Teerwah was fixed — with reference to the quality of the land. but on the contrary they are called upon to pay according as they cultivate Nunjah Poonjah or Totacal. Pray that this practice be abolished and that the turm Teerwah of the land only may be charged. —

18th Ac- =ral rule the Teerwah of the only is charge land be cultiv according to its =sification at the =ery, that is to if dry land is =vated with a Crop. Poonjah only is charg if wet land is =tivated with a Crop Nunjah only is charged but if upon dry a wet crop is g by means of Cu water turm Teer is in like mann charged and an additional charg or (Kuffer) for such water —

The

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The assessment on Wet lands is higher than on dry because Government are at great expense in providing water for such Lands, and it would be unreasonable to expect that the Teerwah should be reduced because an inferior description of Crop was grown upon it since water was provided for a superior or wet Crop. Still the turm teer= =wah of the land only is charged there seems no reason for altering the principle upon which the Teerwah is levied upon the lands.

19th Request that Lands may be given to them on Cowle. —

19th When all the Sheikul waste in a Village is cultivated, Anady waste land will be given on Cowle. —

20th Complain of the injury done to their crops by wild Elephants, pray that full remission may be granted for such injuries and that means may be taken to destroy the Elephants

20th Remission will be granted for any injury done the Crops by Elephants, and means will be taken to destroy them. — Means will also be taken to apprehend the gang robbers and

instructions

Elephants. Pray also that some better arrangement may be made for apprehending the Gang robbers who abound in Trinamallie, Triecalore, Chaitput, and part of Tinderanam taloks, and that their tanks which are much out of repair may be inspected and thoroughly repaired.

instructions will be given to place the Tanks in repair.

Note

Regarding the above points it will be necessary to send the Collector Specific instructions. As many as forty or fifty Elephants came down the Hills from the Salem District into the low Country about Trinamallie and did much damage. a party of Gentlemen went out against them and got shots at several but killed none. there is no doubt about the fact however of great numbers visiting the District annually and the number

number appears to increase every year. The people are in much apprehension of Gang Robbers and some active measures are required which I doubt not will be adopted by Mr Hallett.

The western Taloks of the District with the exception of part of Chaitput have not been visited by any European Engineer for several years and the Tanks stand in much need of repair. At the time I was in that part of South Arcot included in the 4th Division there was not even a Surveyor or an assistant Surveyor in the District.

21st In Hindoo countries it is usual to make "Vurnapajapum" or periodical ceremonies for rain, and accordingly this was formerly authorized by Government. Pray that allowance may be again given for this purpose by which both the Ryots and Government will benefit.

The

21st The ceremony of Vurnapajapum has been discontinued by order of Government and I have no authority to restore it.

It

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22nds The Ryots of Irnamalie complain that the late Principal Collector Mr Ashton not being able to endure the opposition made by the Ryots to take their Puttahs which included the tax on Houses &c caused one of them to be punished and further complain that a number of Monegars were unjustly fined 6 Rupees each, in all 600 Rupees, on account of the same opposition made by the Ryots to take their Puttahs. Pray that the amount of the fine may be remitted.-

22nds It is the duty of the Monegars who are paid Officers of Government when the Ryots make any objection to their Puttahs to afford their assistance to the Collector in endeavouring to satisfy those objections and the Monegars ought not to have quitted the Catcherry when the Ryots who refused to take their Puttahs did so. I am satisfied however from the explanation which they have given and the fact of a great number

Fort St George 9th December 18[illegible]

attended the same evening at the Catcherry and the remainder the following morning that the Monegars had no intention to make any opposition themselves, and I accordingly remit the fine, and I do this the more readily, as I do not believe the late Principal Collector under the explanation now given would have enforced it.-

Note.-

The objections of the Ryots to take their Puttahs referred to in Para 5 of this Report were made late in the afternoon, and it was past 4 O'clock when the Ryots so abruptly in a body quitted the Catcherry- immediately after the Ryots had gone away, the Principal Collector had the names of the Villages called over according to an alphabetical list, and the Monegars required to take the Ryots Puttahs, and every Monegar who was not then present was fined 6 Rupees. some who had not proceeded very far returned and took their Puttahs, the rest attending the following morning those who did not attend

attend till next day explained to me that not being specially ordered to remain at the Catcherry, when the Villagers left, they left also, but attended the following morning on learning that they were required. Others explained that when the Ryots left the Catcherry they accompanied them with a view to remonstrate with them. Upon consideration of all the circumstances, the heavy amount of the fine and the misconstruction put upon its imposition, I caused the whole to be remitted.

23rd Some Ryots of Chaitput complained that an overpayment in Fusly 1242, on account of some cultivation which was utterly destroyed, and which I had promised to give back to them had never been repaid and prayed that this may be done.-

The 23rd The amount here referred to Rupees 246-5-7 was owing to some oversight never repaid to the people. It remained in deposit until 1839 when it was carried to account of Government. The amount is due to the people and having promised them that it should be refunded, I caused the payment to be made and

and will submit the charge in a separate communication for the special sanction of Government.-

24 The Zillah Courts were established for the protection of the people but in consequence of the facility with which forged Bonds are established by the evidence of false witnesses, as genuine, the Courts instead of being a protection are a source of oppression to the people. Point out how the Courts should proceed to ascertion whether a Bond is true or false by sending persons to the Village where the party resides, and ascertaining whether he was ever in circumstances to have had such an amount &c.

24th The complaint being entirely of a Judicial nature the Petitioners are recommended to lay their complaint before the Higher Courts or submit the same direct to Government.-

After

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28

After much delay
with the people and the exercise of a g
deal of patience having at length come
to an understanding and given an answ
personally in the Public Cutcherry upon
each subject of complaint which if not ent
=ly, was generally satisfactory to them, I w
enabled to proceed with the Settlement at
Chaitput and Tindevanum which once com
=menced was concluded at both places with
=out the slightest interruption, every Ryot
with one single exception having eventuall
taken his Puttah.

29.

The subjects of complai
above referred to in such detail were o
a general nature in which all the Ryots
were supposed to participate, but many
parties were also urgent to have cases of
individual grievances heard and redress
and they ensured a hearing either by ob
=jecting to take their Puttahs, which in
such cases were detained by me until
investigation was made or they presented

Petitions'

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Petitions in the usual course. Of the former
there were 258 Cases at Chaitput and 480. at
Tindevanum, and of the latter 772 at Chaitput
and 542 at Tindevanum. The former cases
had reference entirely to matters connected
with the Settlement and desputes about the
occupation of land, and three fourths of them
at each place arose out of the Dircast Sys=
=tem. I cannot give a better idea of the nature
of these complaints or the time occupied in
the investigation of them than by submitting
my original Diaries* kept at the Summa=
=bundy for the two Talooks of Chaitput and
Tindivanum. The other and the most nu=
=merous List of Complaints were for the most
part of a comparatively trifling nature and
easily settled, but they occupied more time
than I could afford to bestow upon them as
it was necessary to give an answer to each
and the Ryots were thus kept longer from
their homes that I could have wished. In
disposing of them at Chaitput I had the

aid

*To be return=
=ed for transmis=
=sion to the
Collector of
South Arcot
Enclosures
No 8 to 9.

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aid of Mr. Cherry the Assistant Collec
who joined me some days after my arriva
but he had only recently been appoin
to the District, and could therefore
deal only with cases of the simples
kind, but he was most attentive an
anxious to make himself useful.

30.

With a view to expedi
business at Pindivanum I requested
Head Assistant Mr. Cunliffe to meet
there, and from his experience and
indefatigable attention I received the
most essential aid, and was enabled to
dispose of every Petition addressed to me
there without detaining the Ryots beyond
a day or two, and had more leisure
myself to devote to the investigation of
the more important Complaints connect
=ed with the Settlement which it is
seen amounted to nearly double
what they were at Chittput. To Mr.
Cunliffe I am much indebted.

After

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31. After finishing the settle=
=ment at Pindivanum, I proceeded to Cud=
=dalore where I was visited by the Ryots of
those Talooks to which I had not thought
it necessary to proceed in person, and
during the ten days that I remained at
Cuddalore my time was uninterruptedly
occupied in the disposal of Petitions from
these Talooks. The only one which seems
here to demand any particular notice
is that from the Ryots generally of the
Munargoody Talook, they complain of
the high rate of the assessment with re=
=ference to Tanjore and Trichinopoly, and
request that a fixed teerwah according
to the Hooloos which has been intro=
=duced into all the Talooks of South
Arcot, except Manargoody and Chel=
=lumbaram may be forthwith introduced
into the Manargoody Talook. This I
assured them should be done, and I would
earnestly recommend that no time

Should

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Should be lost in giving directions to the present Collector to apply himself without delay to the accomplishment of this object.

32. The Manargoody Ryots as also some from Chellumbrum complained of not receiving any remission for their crops utterly destroyed by inundation. I found that this Complaint had already been before the Board of Revenue and Government, and that it had been decided upon a report of the late Principal Collector that the extent of the loss was not such as according to the practice of the District entitled them to any remission. They were violently clamorious upon this point, but as the Government had already passed a decision. I firmly declined to grant any remission. My impression however is from all I could learn, that they are entitled to some indulgence their

Fort St. George 9th December 1841.

their crops having been destroyed by inundation through breaches of the Tanks, The extent of this can only be ascertained by the Collector who I think should be instructed to exercise his discretion, in granting it, meanwhile I directed the Tahsildar not to press the Ryots for the tearwah upon the lands which had suffered.

33. In a former part of this paper I have stated my opinion that the immediate occasion of the popular tumult at Chaitput was the imposition of the tax on nuttum Lands occupied by the houses of Ryots. The Nuttum from time immemorial had never been subject to tax, and the imposition of it was every where alike obnoxious as fully exemplified by the opposition to the first attempt at its introduction at Triccalore and Trin= =malie before there could possibly have been

been time for communication or Combination with other Talooks, and the people believing that it was intended to invade their established rights by the imposition of a new and unauthorized demand on their houses and backyards and thus open a door to every description of vexatious interference on the part of the Circar Servants had no doubt a just ground of Complaint. They were borne out in this belief both from the wording of the Principal Collector's order of the 14th April, and the entry of the tax in their Puttahs. An explanation of Mr. Ashton's views in taxing the Nuttum is to be found in his letter to the Board of Revenue dated 12th May 1841. together with the indulgences which he therein proposed for the future to grant to the People, and it is only to be lamented that he had not given notice of these proposed concessions at an earlier date to the

Enclosure No. 10.

Ryots

Ryots of the dissatisfied Districts, which would have prevented all the misunderstanding and all the unhappy results consequent which have followed the attempt to impose the Tax.

34. That the People had much cause for Complaint there is no doubt, but whilst I acknowledge this, I cannot too strongly deprecate the mode adopted by them to obtain redress, which seems to call for the expression of Government's severe displeasure.

35. In my circuit through the District I took with me the Head Seristadar Rungacharloo and the Deputy Seristadar Diangue Moodally, the former Officer had accompanied Mr. Ashton and was with him during the tumult at Chaitput and Tindevanum, my object in directing him to proceed with me was to ascertain the general feelings of the people towards him. and I have every

reason.

reason to believe whatever sentiments might before have been entertained towards him that none but a friendly feeling exists at present, and that under the present acting Collector Mr. Hallett he will continue to Maintain that high Character which two of Mr. Hallett's Predecessors have borne testimony to.

36 As I understood on my arrival in the District that a hostile feeling was entertained towards the Head Sheristadar and my object being to allay instead of keeping alive every feeling of dissatisfaction from whatever cause arising, I determined to carry on the business of the Cutcherry thro' the Deputy Sheristadar Dissingue Moodelly.

37 The people were in a great state of excitement as I have before noticed when I first arrived at Chaitpat and Pindavanum; and I attribute the success which attended my endeavours

to allay this feeling very much to the influence which he possessed over all Classes. But whether I speak of him in reference to his exertions to bring the people to a right understanding or to his indefatigable labor, early and late in assisting me to bring the settlement to a satisfactory conclusion, his conduct demands from me the expression of my unqualified praise, and acknowledgment, and in bringing his conduct and services to the notice of His Lordship in Council. I should be happy if any mark of the approbation of Government could be conferred upon him.

38. I had hoped to have been able to forward this Report before quitting Cuddalore, but during the whole of my stay there. I was so unceasingly occupied with current business which admitted of no delay, that

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I had no leisure to attend to any other, and after remaining ten days. I was attacked with indisposition which rendered it desirable that I should quit the place, the completion of my Report was necessarily deferred therefore until my arrival here and the occasion for one or two references to the District and unavoidable interruption from the current business of the Board have delayed its transmission longer than I could have wished, but which I was unable to avoid.-

39. In conclusion I beg to state that I have submitted a revised Hookumnamah for the District, for the sanction of the Board of Revenue, in which I have endeavoured to meet every case of Complaint connected with the assessment or settlement of the Land Revenue which appeared deserving of redress-

40. I beg also to state that I have forwarded for the information of the Board of Revenue a transcript of this Report-

Madras, 31st August 1841.-

(Signed) J. Dent.
Commissioner.
Jummabundy

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B.-

Jummabundy Hookummanah for the Southern Division of Arcot for Fusly 1251.-

Para 1. The following particulars are necessary to be observed in preparing the Jummabundy Accounts

Uniformity 2 Uniformity must be preserved in the preparation of the Jummabundy Accounts which are to be made out agreeably to the Hookummanahs and Forms hitherto framed except where a departure from the same may be herein authorized.-

Kooloms Talooks-3.- In the Levaram Villages of the Talooks where the Kooloms Teervah has been introduced, the Jummabundy Chitta of those Villages should be prepared with reference to the Kooloms Teervah and according to the forms in use, and shall exhibit the name of every individual Cultivator

cultivator, and the names and numbers and Surnams of the fields cultivated by him.-

Talooks of Manargoody, Chellumbrum and Cuddalore

4.-

In the Talooks of Manargoody, Chellumbrum and Cuddalore, where the Raiatwar Teerwah has not yet been introduced, the Chittas of those Villages shall be prepared with reference to the Pymash Teerwah, and shall in like manner exhibit the name of the individual Cultivators and the name and Surnam of the Land cultivated by him.-

Sunccara-=parum Sagbire-

5

In the returned Sagbire of Sunccara-parum for the included in part of five Talooks the Chittas of the Villages which remain under Runnary shall be prepared for the Punjah Cultivation, according to the Warra Dittum, and for the Poonjah and Fataraik, according to the Teerwah dittum in use.- The

Fly but Land of Summah hundy Chitta of each Ryot.

6

The entire Lands which a Ryot may have cultivated last year whether within the period of leasing the Summahbundy &c= counts or subsequently, and entered in the Sevay Summah, shall be considered as his Fly pute lands, and entered as such in the Chitta of the current year, but instead of again entering the whole of the particulars of the cultivations as has hitherto been the practice, in preparing the Summahbundy Chitta for the current year it shall be sufficient to shew in Abstract the extent of Poonjah, Punjah and Fataraik, with the amount of Bariz under each head for the last year and then proceed to enter the details of the current year as usual agreeably to the following form.-

Form

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Form.-

No 1 Mootah Naiken 2 Ploughs 12 5a 2 Ploughs 10
Poonjah ----- 10 Fields — 5 — 37
Nunjah ----- 16 Do — 4 — 58
Totacal ----- 1 — Do — 1/4 — 5
27 Fields 10 1/4 Cawd 10 Rs
Rockadayum ----- 2 Rs
102 Rs

Current Fusly 1251
Poonjah 5th Turrum No 7 Kaits Poolyady 2 Rs
Do ----- No 10 Do Adamanum 1
2 Kaits ----- 3 Rs 21
Do 4th Turrum No 25 Kaits Vapady 1
Do ----- No 18 Do Assamanum 3
2 Kaits ----- 4 Rs 14
Total Poonjah 4 Kaits ----- 7 Cs Rs 35
The same particulars for
Nunjah &c

Chittu to be made from Adungul Accounts.-

The Accounts of Adungul received from the different Tahsildars are to undergo the strictest examination and the Immanahdundy Chittu to be thus prepared from them in accordance

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accordance with the instructions contained in this Hoobnumanah.-

8.- If after the usual season for cultivation any of the Ryots are willing to take fresh land Poonjah, Nunjah and Totacal under cultivation, they shall be at liberty to do so, and after the Accounts of such received from the Tahsildar have undergone examination the extent under-taken by each Ryot shall be entered in his Account and included in the Aim Immanahdundy, or if not received in time shall be included in the Sevay Immanah.-

The following Rules shall be observed in the Settlement of Poonjah Lands.-

Poonjah Parumbake to be sorted (cultivated) when not exceeding the average of the Sheikai and Burjer of the Village; and only as much, as is cultivated; however small a portion.-

9 If Parumbake Lands upon which the Assessment has been fixed are cultivated they shall pay accordingly, if Parumbake Lands upon which no assessment

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assessment has been fixed are cultivated they shall pay according to the average Teerwah of the Sheikul Bunjer lands of the Village in which they are situated.-

10 Rules under which portions of Poonjah Fields left uncultivated in Sheikul Bunjer and Parumbokes lands on which the assessments has been fixed are to be carried to accounts or exempted from Teerwah.-

11 If a field of one Cawny in extent but not exceeding one Cawny is only partly cultivated the whole field must be charged in the Accounts.-

12 If in a Field exceeding one Cawny in extent more than one Cawny is cultivated, as much as is cultivated is to be entered in the Accounts, but if in such a field less than 1 Cawny is cultivated, Teerwah for one Cawny must still be charged.-

Cases

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Cases having occurred

13- where a Ryot from ignorance owing to the boundary marks of Fields not being distinct has encroached to the extent of one or two annas on an adjoining Field whereby he is obliged either to pay for the whole Field or to the extent of one Cawny, it shall be at the option of the Collector on a first occurrence of this kind to remit the amount of Kattavadi if it be clear to him that the encroachments has been from ignorance- but it will be allowed in no second instance.-

14 If Parumbake Land on which no assessment has been fixed is cultivated, Teerwah shall be charged upon the extent of cultivation only.-

15 If any Ryot shall cultivate within a Taperwhich has been

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been exempted in the Pymash Account from the payment of Teerwah on account of same religious or other purpose he shall pay the Teerwah fixed on such Lands for the portion so cultivated.-

16 If any Ryot shall cultivate Lands which were formerly exempted in the Pymash accounts from Teerwah on account of their being occupied as Topes or Flower Gardens for Pagodas &c. and which have been allowed to go to decay he shall be charged with the Teerwah payable upon such Lands.-

17.- If any portion of a Ryots cultivable field is washed away by inundation, or taken by the Circar, or with the Circar permission for a Tank, large Well, water channel or public Road such portion shall be exempted & Teerwah only charged for the remainder & a remark appended to the

Peramts of Chauturs.

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explanatory of the deduction.-

18.- Poonjah and Nunjah Lands within the Talook of Cuddalore cultivated by means of Circar water with Garden produce shall pay the same rate of Kuyer as in the rest of the Soubah.

Kyoti Lands- 19.- If any Ryot shall cultivate Lands surrounded by other cultivated fields which has been accidentally omitted in the Pymash accounts he shall be charged with the average Teerwah of the adjoining Lands, provided that the extent of such Land does not exceed two Cawnies.- Where Land so omitted from the Pymash account shall exceed two Cawnies it shall be entered as Parumboke and charged with the average Sheikah and Bunjer Teerwah of the Village.-

20 The following Rules shall be observed in the settlements of the "Nunjah" Lands.-

21 In Nuttam Nunjah Lands if

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if after the plants are taken out the land is again cultivated and affords a crop, the land must be brought to account, but if the land after transplanting the shoots, is not again cultivated, it is not to be charged with Teerwah.

22.- If any Ryot shall by means of new Wells or Tanks & c. duly at his own expense raise Nunjah or Garden cultivation upon Poonjah lands, such lands shall be charged with Poonjah turn Teerwah only.

23.- If any Ryot shall raise Carabu or Nunjah cultivation or Sugar Cane upon Poonjah lands by means of old Wells entered in the Pymash Accounts or other old Wells reputed to have existed at the time the omitted in the Pymash Account both being kept in repair at the expense of Ryots shall only be charged with half Fusper Teerwah this to be inclusive of the remission on

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on account of large Pecottahs which is to be for the future discontinued.

24 In Poonjah Lands and Nuttum Punnabaka Lands if Poonjah produce is raised by Circar water instead of paying the average Poonjah Teerwah of the Village, it must pay at the rate of 2½ Rupees a Cawnie above the fixed teerwah of the land.-

25 In Poonjah Lands or Nuttum Punnabaka if Nunjah produce is raised by Circar water instead of paying the average Nunjah of the Village, it must pay at the rate of 5 Rupees a Cawnie above the fixed teerwah of the land.-

26.- In Poonjah Lands or Nuttum Punnabaka if Tobacco produce is raised by Circar water, instead of paying the average rate of Tobacco of the Village, it must pay at the rate of 8 Rupees a Cawnie above the fixed teerwah of the land.- In

27

In the above 3 cases Kuttu yuttum 1/4 of the Kistwar is remitted, the remainder only is carried to account.

28

But no abatement or reduction in the Kistwar teerwah shall be allowed for Punjah lands cultivated with a Kunjah and Petty cal produce by means of small Pecottas or Baskets &c. but the full Kistwar teerwah shall be charged.

29.

In Manargoody and Chellumkunnu Talooks 5th Clap Kunjah Villages shall pay the following rates of Kistwar as sanctioned by the Board of Revenue under date 18th October 1838 Viz.

				Rs	A	P
1st Sort of Kunjah Lands						
Lowser far as Cawny is				2	5	4
2	Do		Do			
				2	..	8
3	Do		Do			
				1	12	..
4th	Do		Do			
				1	7	4
Average Turum				1	12	4

Comp. S.R.

Kunjah.

30. If Porumboke Lands upon which the Assessment has been fixed are cultivated, they shall pay Teerwah accordingly. if Porumboke lands upon which no Assessment has been fixed are cultivated, they shall pay according to the Teerwah of the Sheikah and Bunjer lands of the Village in which they are situated.

31. If any Kunjah lands are converted into Beetle Gardens, they shall pay one fourth of the Amount of the turum Teerwah of such land in addition to the full Kunjah turum Teerwah.

32. According to the Hosloos, Kunjah lands having no sources of irrigation from Tanks or Channels, and which are entirely dependant on regular showers of rain, together with Kunjah Lands watered from Wells by means of large Pecottahs, are charged with

with only 3/4 Teerwah 1/4 being remitted in consideration of the risk incurred in the one case, and the additional labor in the other - If such lands are now cultivated by means of water from Tanks or Channels, they shall be charged the full Teerwah, the Amount of the 3/4 Teerwah and the other quarter being distinctly exhibited in the Accounts.—

Kaitloondoo.

33.

Rules under which portions of Nunjah Fields left uncultivated in Sheikab, Bunjer and Poruimboke, on which the Assessment has been fixed and not fixed, are to be carried to account and exempted from Teerwah - All Nunjah lands from the 1st to the 8th turn, both inclusive, shall be subject to the following rules.—

34.

If a field of half a Cawny in extent, but not exceeding 1/2 a Cawny

Cawny is partly cultivated, the whole field must be charged with Teerwah.—

35. If in a field exceeding 1/2 a Cawny in extent, more than 1/2 a Cawny is cultivated, as much as is cultivated is to be charged with Teerwah, but if less than 1/2 a Cawnie is cultivated, Teerwah for 1/2 a Cawnie must nevertheless be levied.

36. All Nunjah lands from 9th to the 16th Turn, both inclusive, shall be subject to the following Rules.—

37. In a field not exceeding one Cawny, if any part of it is cultivated, the whole field must be charged with Teerwah.—

38. In a field exceeding one Cawny in extent, and more than one Cawny is cultivated, the Teerwah is to be levied according to the extent of cultivation, but if in any such field less than one Cawny is cultivated, one Cawny must be paid for.

If

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39. If Porumboke lands on which no assessment has been fixed are cultivated with Nunjah, they shall be charged with Teerwah according to the rules for assessing Porumboke upon the extent of cultivation only.—

40. If any Ryot shall cultivate within a Tope which has been exempted in the Pymash accounts from the payment of Teerwah on account of some religious or other purpose, he shall pay the Teerwah fixed upon such lands for the portion so cultivated.

41. If any Ryot shall cultivate lands which were formerly exempted in the Pymash accounts from Teerwah on account of their being occupied as Topes or flower gardens of Pagodas &c. and which have been abandoned, he shall be charged with the Teerwah payable on such lands.—

If

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42. If any portion of a Ryot's cultivated field is washed away by inundation, or appropriated by the Circar for digging a Tank, large Well, channel or road, such portion shall be exempted and Teerwah only charged for the remainder, and a remark appended to the accounts in explanation of the deduction.—

43. Where the Teerwah of the land is fixed. Sugar Cane produce on Nunjah land is paid for according to the turn Teerwah of the land, without increase or diminution, the same as Paddy Cultivation, but if sugar cane cultivation is raised on Poonjah land, by means of Circar water, it is to pay the same Kisper, as Nunjah raised on Poonjah / i.e. 5 Rupees per Cawny above the turn teerwah of the land / and is to be considered in every respect as Nunjah produce.—

In

44. In Villages where the Nay=
=eerwah is not fixed, sugar cane cultiva=
=tion is to pay at the rate of the average
the whole Nunjah of the Village taking the
average of the last 5 Years.—

45. In Nunjah land if
Totacab produce is raised by means of
Circar water, the average Totacab Teerwah
of the District being 5 Pagodas or 17½
Rupees is to be collected, unless the turm
Teerwah of the land is more, in which
case the turm Teerwah only to be collected.—

46. If Totacab cultivation
is raised in Nunjah land by means of
wells dug at the Ryots own expense, the
Turm Teerwah of the land only shall be
charged.

47. No Hulsur shall be
charged for the future for water taken from the
following sources, nor for lands cultivated on
the beds of Tanks or Rivers.—

1st " Water from Hills or Jungle
Streams.—

2nd " Odays or natural gullies.

3rd " Surplus water running
to waste.—

4th " Land in the beds of
Rivers.—

5th " Land in the site of a
Tank.—

48. If Garden lands are
cultivated, no matter with what
description of produce, they shall be
charged with full Teerwah.—

49. Rules to be observ=
=ed in charging Teerwah upon portions
of Garden Fields left uncultivated.—

50. In a field not ex=
=ceeding ¼ Cawny if any part is culti=
=vated, Teerwah for full Hait is to be
charged.—

51. In a field exceeding
¼ Cawny, if Cultivation is carried
on, Teerwah is to be charged
according

according to the extent of cultivation, provided always that not less than a 1/4 Cawney is cultivated.—

52. If any one shall plant Cocoanut or Areca nut Trees in Poonjah land or Porumboke land, and irrigate the same by Circar water, he shall pay Rufsur Teerwah for Poonjah at 8 Rupees per Cawny or the difference that may be required to make up 5 Pagodas. the full average tobacab Teerwah of the District.—

53. If any person shall plant a Tope of Cocoanut, Tamarinds, Jack, Mangoe, Elepa Trees in Poonjah land and water the same by Wells dug at his own expense. he shall pay the turm Teerwah of the land from year to year, from the time it is first occupied, but nothing more shall be levied on account of the Trees when they yield produce.—

54. If any man shall cultivate Poonjah produce in Gramanutum lands

lands, he shall pay the Teerwah of the 1st. sort of Poonjah land in that Village.—

55 If a Beetle garden is made in Garden land, then, such land shall be charged with one fourth more than the Turm Teerwah fixed upon such land.—

56. If Garden land is dug up and prepared ready to receive the plants and the same is entered in the Adungub Accounts, such lands according to the esta=blished custom shall be charged with full teerwah.—

57. If any Ryot without giving notice at the beginning of the year of his intention to relinquish his Kyfut land shall receive Tuccavie from the Circar, and leaving his Kyfut land waste, cultivate Manium, Shrotrium or Jagheer lands, he shall pay full teerwah for all his Kyfut land left waste, unless he can give very satisfactory reason for the same being left Waste, and at all events to the extent of his cultivation in Enam, Shrotrium or Jagheir.—

The

Fort St. George 9th December. 1856.

58. The following Rules shall be observed in charging teerwa upon lands granted on Cowle.—

59. If there is no sheikat in the Village, 5 years Carumboo land is to be given on Cowle. If there is no 5 years Carumboo 10 years Carumboo must be given & if there is no 10 years Carumboo. Anadie Carumboo is to be given.—

60. All lands cultivated at any time within the last 5 years or from Fusly 1246 to 1250. both inclusive shall be considered as Sheikat lands and if cultivated in the current year shall be assessed with full teerwah, but any Ryot who shall cultivate in the current year an equal extent of Ryput land to what he did in Fusly 1250. shall be allowed to take waste land into cultivation on conditions hereunder mentioned.—

61. Lands left uncultivated from Fusly 1246 to Fusly 1250 both inclusive shall be considered as 5 years waste, and if taken on Cowle shall pay ½ teerwah for the first year, the

Fort St. George 9th December 1856.

for the second, and full turm teerwa for the third year.

62. Lands left uncultivated from Fusly 1241. to 1250 both inclusive, shall be considered as ten years waste, and if taken on cowle shall pay quarter teerwa for the first year, half for the second, three quarter for the third, and full turm teerwa for the fourth.—

63. All lands left uncultivated for any period prior to fusly 1241. and continuously from 1241. to 1250. shall be considered as anady Currumboo, or immemorial waste, and if taken on Cowle shall be entirely exempted from Teerwa the first year. pay ¼ Teerwa the second. ½ the third. ¾ the fourth, and full turm Teerwa the fifth year.—

64. Persons willing to take land on Cowle must give proposals for entire fields and no Cowle will be given for a part of a field only.—

65. If any person cultivate waste land without giving a proposal and taking "Pooly Chit" he shall pay full Teerwah on such land.—

66. If any person having given a proposal for Cowle land and taken "Pooly Chit" shall cultivate all his Ryput land of the preceding year, then the terms of the Cowle, shall be acted upon.—

67. If any person after giving proposals and receiving "Pooly Chit" shall leave any portion of his Ryput land (that is the land which he cultivated and which was included in his Puttah for the last year) waste, and cultivate Cowle land, he shall be charged with full Teerwa for as much of the Cowle land as he may have left waste of his Ryput.—

68. If any person having taking land upon Cowle shall make it over to any other person for cultivation, whether for Warum or Teerwa, and the said person shall cultivate and leave any part of his own Ryput land waste, the original proposer shall pay the full turm teerwa of the Cowle land for as many Cawnies as the said cultivator may have left waste in his Ryput. Further the original Dessaydar shall be required to conform to the conditions upon which he may have made over the land to the said cultivator.—

69. If a man having given a

Fort St. George 9th December 1

proposal to take lands on Cowle, shall entit
the same, but the issue of the Tooby chit shall
delayed by the neglect or carelessness of the
the case shall be referred to the Principal Colle
who upon enquiry, if the proposal shall appe
fair, will issue special orders for the Cowle
acted upon.

70. If any person after having
Cultivated waste land shall afterwards give a
to take the very same land on Cowle, the propos
shall be rejected.—

71. If a Ryot after having
land on Cowle for one or two years shall mak
over by Rayeenamah to another Ryot with the
sent of the Circar for the remaining period of
Cowle, the original terms of the Cowle shall
enforced with the Ryot to whom the transfer
be made.

72. If a Ryot shall take
on Cowle, he shall be responsible for the pay
ment of the Peishcash prescribed by the terms
the Cowle during its continuance, whether the land
is cultivated or not, and such land shall be in
cluded in his Puttah.—

73. If any Ryot under plea of absolut
poverty and inability to cultivate shall formally
give up by Rayeenamah the whole of his Ryoot
lands either in the Village where the Cowle lands are situated or in any
other Village, to another Ryot, and cultivate only the Cowle lands;
such cases shall be admitted to the benefits of the
Cowle upon the special order of the Principal
Collector, but in cases where a Ryot after
having so made over all his Ryoot lands to another

shall

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shall afterwards jointly with the said Ryot
proceed to cultivate any part of his Ryoot, such
cases shall not be admitted to the benefits of
the Cowle.—

74. The following Rules shall be
observed in the settlement of the Moturpha
Revenue.—

75. The Moturpha accounts shall
distinctly shew the name of every Village,
the Caste and profession of the individuals
paying Moturpha, the amount paid in the
current year by each individual compar-
ed with the last, and in case of any
lapses from death or departure, such to
be particularly specified, with the date
of death or departure—if any new Ryots
have come such also to be specified
with the dates of their coming.—

76. If it should be discovered that
any person who from the custom of the
Country ought to pay Moturpha has
hitherto not been called upon to pay,

a

a separate account for such person shall be prepared, shewing the amount payable by such persons, agreeable to the rates assessed on similar persons in the same or neighbouring Villages.

77. The tax on Bazars, Looms &c. shall be collected at the rates specified in the Pymash accounts from all parties whose names are therein exhibited, and from persons who have settled subsequently to the Pymash, at the rates observed up to last year.—

78. In certain Villages exemptions from payment of Seerwah Love or been made in favor of Chundries &c. care should be taken that no persons except those duly entitled, are admitted to this exemption.—

79. If a Weaver makes use of his Loom in the course of the year, he shall pay the tax for the whole year without reference to the quantity of Cloth he may have

have manufactured, if he does not make use of his Loom he shall pay no tax.—

If in a family there are three or four persons who are accustomed to carry Loads for sale from Village to Village, they must each and every one pay the usual tax according to Mamool.—

81. If any person liable to pay Moturpha shall newly settle in a Village, he shall pay the rate usual for such class of person in such Village— if there be no tax paid in such Village, then according to the rate paid in the neighbouring Village.—

82. The following Rules shall be observed in the Settlement of the Tax upon Trees.—

83. Trees scattered about Nuttums, Pummboke, and Seerwaput land, which are not cultivated, yielding produce only, shall be taxed— Young trees and unproductive Trees shall not be charged with

Fort St. George 9th December 1841

with Teerwah, but in the Chittahs and Puttahs for all Trees, the number productive and the number unproductive are to be distinctly shewn. each Tree yielding produce shall pay an annual tax as follows:-

		No.	As.	Ps.
Tamarind Trees		"	3	6.
Ellapah	Do.	"	1	9.
Mango	Do.	"	1	9.
Cocoanut	Do.	"	1	9.
Date	Do.	"	1	3.
Palmira	Do.	"	1	3.
Jack	Do.	"	3	6.

84. If any Ryot shall cultivate Circar Teerwaput or Poramboke land upon which there are any fruit Trees of the above description, he shall enjoy the produce of the said Trees, and they shall be included in his Puttah without paying any thing additional beyond the teerwah upon the land, it being understood that Crops situated under the shadow of such Trees are much deteriorated, but in

case

Fort St. George 9th Decem[illegible] 1841

case the said trees may have been engaged on Puttah by any individual, the land shall not be given to any other person to cultivate without the party so occupying the trees having the option first of cultivating the land, and on his refusal to take the land, the land and trees shall be transferred to the new proposer.-

85. The Baug of the fruit Gardens &c. which have been rented out, as well as those which remain to be rented, are all to be included in the Jummabundy.-

86. With the exception of trees entered in individual Puttahs, those in Nuttum or aspected land are to be common to the Village- If a man plant a Tope which he and his family have successively enjoyed and received Puttah, it shall still continue as before- If the original planter sell it to another who can produce documentary proof of the sale, and the purchaser and his family have continued in the enjoyment of it and received

Puttah

Puttah, it is to be entered in their names.

If a man planted a Sope, but in Fasly 1217 and since during both rent and cumaine, it has been held and enjoyed in common by the Puttah Monigars and Ryots of the Village, it shall be entered in their names in the Samsheputtah.—

87. The following Rules shall be observed in the settlement of the Revenue derived from Tank Fisheries.—

88. The Beriz of the Fisheries shall be settled according to the rates entered in the Pymash accounts.—

89. The Joint Puttah shall be given for the produce of the Fishery in the name of all Ryots of the Village. All the inhabitants of the Village shall be allowed to share the long Grass produced either in the bed of the Tank or elsewhere within the limits, according to the extent of their payment to the Circar, and Conditions to this effect shall

shall be entered in the Puttah & Cabooliat given to the Monigars.—

90. Where the Fishery not appertaining to any particular Village may have been rented out for the current year the Beriz of such Fishery shall be included in the Summabundy now prepared.—

91. Rules under which Remission is to be allowed upon Brahmins and Moosulmans Cultivation.

92. A deduction of 10 per Cent shall be allowed in all Salooks to Brahmins and Moosulmans whose lands are Cultivated by their own agricultural stock, except in Manargoody, Chellumbram, and Cuddalore, and in the renumed Jaghire of Pallamcottah, Kallamalay, Suncarapooram, and Checkady, where the rules in this respect hitherto in force shall be observed.—

93. If a Brahmin and Soodra Cultivate jointly after deducting the portion of

Shotriem Villages payable to Govèrnme-
as well as Casilly fees &c.a are to be brou-
into the Tunnahbundy accounts accord-
ing to Manook.

101. After making due enquiry
as to the casualties that have taken place
among the Tarabuddy, Tunnud and Co-
Cuttuddy Enamdars, the maniems of
those who are surviving are to be granted
to them, in the Taloaks where the Hooloo
has been introduced according to the
Hooloo, in other Taloaks according to
the Pymash, and in the Jaghier of
Suncarapooram &c.a according to the
practice which prevailed up to last year.

102. In the Cultivation of the
Service and Pension Cuttuddy Enams,
the portion of 1/2 or 3/4 teerwah pay-
able to Government shall be
brought into the Tunnahbundy
accounts, and the remainder paid
to the Enamdars according to
the

the custom of the Taloak.

103. The Enam Tunnahbundy
Cuttu in the Taloaks where the Hooloo
has been introduced is to be prepared
according to the form observed last year,
exhibiting in detail the name and number
of fields, and distinguishing the cultivat-
ed from the waste of each Enamdar, co-
together with an abstract of the whole co-
Taloaks where there is any difference between
the extent of Enam this year and last,
a note of the same is to be made.

104. The accounts of Manargoody
and Chellumbram Taloaks and the
Jaghire of Suncarapooram &c.a are to be
made out in the same way as last
year.

105. The teerwah upon cultivation
made on lands set apart for roads, un-
claimed Enam lands or Enam lands
granted for the support of Pagodas in
which no Poojah is performed, shall
be

Fort St. George 9th December 1841.

be brought into the Summahbundy accounts.—

106. The Hooloos and Pymash accounts shall determine the extent of each field, and no fractional excess under the denomination of "Jaeeb Jastee" shall on any account be included in the Summahbundy.

107. The following Particulars are shall be observed in granting Puttahs.

108. A Puttah or Cadjan, Stampt with the Collector's name and seal, shall be granted to each individual Ryot.

109. The Kistbundy according to which the Revenue is to be collected from the Ryot shall be entered in the face of every Puttah as follows.

November	December	January	February
10 per Cent.	8 per Cent.	15 per Cent.	18 per Cent.

March	April	May	June
10 per Cent.	14 per Cent.	12 per Cent.	5 per Cent.

The

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110. The extent of each field shall be determined according to the Hooloo Pymash account.

111. The Puttahs shall be prepared by the Curnum from the Jummabundy Chitta, and shall specify the name of the Ryot, the total extent of his cultivation, Nunjah, Poonjah, or Sotacul, and exhibit in detail the names & numbers and terms of the fields and the Total amount of Ayen teerwah and tuccavie payable by him.

112. If three or four persons cultivate together and share the produce, a Puttah for such a cultivation shall be entered in their joint names, with a Memorandum at the end of the Puttah, shewing the amount of teerwah payable by each.

113. As a general rule whoever cultivates a field shall receive a Puttah for it but if a Ryot shall make over any part of his Kyput land to another under an agreement to cultivate this year for rent, he

he receiving the teeruah from the Renter and paying it to the Circar, a Puttah for such land shall be granted to the Ryot who pays the teeruah, tho' does not actually cultivate it. But in cases where the party making over the land shall refuse to pay the teeruah to the Circar, or if the document making over the land shall be found defective, then and in such cases, the Puttah shall be given to the person who cultivated the land —

114 Puttahs shall be granted to every individual paying Motuchilcha Tax, and the Puttahs shall specify the name of the individual and the amount of the Tax —

115. In like manner Puttahs shall be prepared for all Tarrapuddy enams and shall specify the names of the Enamdars and the number and turn of Kaits. Puttahs shall also be given for all items included in the Jemmah Sowcar Jemmah specifying the names of the individuals to whom they are given and the nature of the items —

Mottah

116. Mottah Puttahs to be given to the Puttah Monegars, and corresponding Mouchilkas to be taken from them, shall be prepared according to the Form in use up to fusly 1247 —

117. As the Revenue is now collected according to a fixed Kistebundy, every Ryot who shall give security at the commencement of the fusly for the extent of his Kyput shall be allowed to reap his crop, if he shall cut his crop without having given security or without paying the teeruah, he shall pay a fine of 2 annas for every Rupee, Teeruah upon the land so reaped, and this condition shall be entered in every Mottah Puttah given to the Puttah Monegars, and in every individual Puttah given to the Ryots. Lands occupied as Indigo works &c. for which no grants have been obtained shall be included in the Jummabundy, and a Puttah must be granted to the man specifying his name and the description

description and Teervah of the land -

Emoluments to mane=

118. =gars. Curnums and Notagars -

The allowances to the

119. Pattamonigars, Curnums and Notagars shall be calculated according to the following scale upon the Gross beriz of the Village, both Ayen and Moturpha. Vizt: The Puttamonigars at the rate of 2 1/4 per Cent upon the Gross Beriz -

The Curnums and Nota=

120. =gars as follows - Rs.

at 6 1/4 per Cent if the Beriz does not exceed - 50

at 6 per Cent if the Beriz be 51 & not exceeding - 100

5 3/4	Do.	Do.	101.	Do.	200.
5 1/2	Do.	Do.	201.	Do.	300.
5 1/4	Do.	Do.	301.	Do.	400.
5.	Do.	Do.	401.	Do.	500.
4 3/4	Do.	Do.	501.	Do.	600.
4 1/2	Do.	Do.	601.	Do.	700.
4 1/4	Do.	Do.	701.	Do.	800.
4.	Do.	Do.	801	Do.	900.
3 3/4	Do.	Do.	901.	Do.	1,000.
3 1/2	Do.	Do.	1001.	Do.	1,100.
3 1/4	Do.	Do.	1101.	Do.	1200
3 1/8	Do.	Do.	1201	Do.	1300.

3 per Cent for 1301 & all above - Of the above Amount

the

the Curnum is to enjoy 11/16th & the Notacar 5/16

121. In Villages where there may be a separate Monegar and Curnum for the collection of Moturpha, distinct from the land Revenue, or in Villages which pay Moturpha Revenue only and no land - Revenue, the emo=

=luments of the monegars and Curnums shall be settled upon the above scale -

122. The allowance of the Thoorties shall be deducted accord=

=ing to the rates observed up to last fasly -

123. If Turpuddy assessed Enamdars shall cultivate their Poonjah lands by means of circar Water, with Punjah or Totacal produce, they shall pay cuffer Teer=

=vah according to the rules for the Circar lands -

124. If any Cultivation is carried on, upon lands under disputed boundaries, the extent of Cultivation, the description of land and parties cultivating Vizt. shall be ascertained & the amount of teervah collected & carried to the deposit account, until it be

settled

settled to what particular Village the lands belong –

125. If three or four persons have jointly cultivated a field last year, which did not come within the rules of exemption from Kaitoondoo and one or more of them should wish this year to relinquish his share in the field, he must give in a Razeenamah to this effect to the Tahsildar at the commencement of the fusly, or he will be required to pay his share of the teerwah, though he did not cultivate, and if he shall give such razee, the whole field including the portion so given up shall be cultivated by the remaining sharers, and if they fail to do so, they shall pay for the entire Kaitoondoo if however they signify their inability to cultivate the whole field, they are at liberty to give it up altogether –

126. If Enamdars shall cultivate circar lands instead of their Enam land, they shall be charged teerwah for the said

said circar land –

127. If in preparing the Jummabundy accounts, the Curnums shall be guilty of any description of fraud either in omitting to enter the cultivation in the accounts or in falsifying the accounts by changing the turn, such Curnums, as well as any public servants of the Hoozoor or Taluk Cutcherry who shall be concerned with him, shall be punished under the general regulations according to the circumstances of the case or tried agreeably to Regulation IX of 1822 –

128. When the Jummabundy Chittas of a Village has been prepared the Ryots of such Village shall be sent for and the signatures of each shall be affixed to the account of his particular cultivation in attestation of the accuracy of the same –

129. Rules for the disposal of the waste and uncultivated lands –

130. No proposal will be accepted for any land which forms any part of

Fort St George 9th December 1841

of the holding of another Ryot, that may be left waste for more than a year without the option being first given to the last holder to cultivate it himself or pay the teervah - upon the last holder declining to do so the land will be given to the propo- -ser on his engaging to cultivate the same, and also to keep up his Kyput to the extent of the last year, upon his ceasing to cultivate the land it will be at the disposal of the circar to give it in like manner on the same condition to any other proposer -

131. The above provisions re- -late entirely to proposals given by Coleroodies, no proposals will be accepted from Paracroodies for the cultivation of Shaikal and Karimboo in any Village until the option has been first given and declined by the Coleroodies but in the event of a Para- -coodie's application being accepted, he must enter into a similar engagement as the Coleroody to cultivate not only the land given up to him on proposal but

Fort St George 9th December 1841.

but his other puttas lands also -

132. Rules for the disposal of the Nuttum Lands -

133. The Nuttum or lands set apart for the sites of Villages and convenience of the Villagers has been exempt from tax from time immemorial, and such exemption is specially recognized in the Py- -mash accounts of this District, whether occupied by the sites of houses or back yards attached to such houses, the extent of land occupied by each individual being restrict- -ed. In conformity with the above understanding such portions of nuttum occupied by houses and backyards shall be exempt from all tax whatever, altho' the said backyards as is usual, may be cultivated with Tobacco and Vegetables for the use of the occupants - And altho' it is not the wish of Government the cultivation should be carried on to any extent in the nuttum, still as it is the practice in many Villages to

to cultivate portions of Nuttum besides the spots occupied as back yards. all such cultivation shall continue to be charged according to the provisions of the Hookumnamah with the highest rate of Poonjah Teervah of the Villages –

134 – In some Villages, either from the insufficiency of nuttum or other causes. Ryots have erected houses and enclosed back yards in teervaput land without the permission of the Circar, Ground so occupied up to the beginning of fusly 1251. will be exempted from teervah, provided the extent of such backyards is not greater than that allowed by the scale for granting manemanu, sanctioned by the Board of Revenue and Government in fusly 1243. but no Teervaput land hereafter taken for building or backyards without the permission of the Circar will on any account be exempt

135 All Cocoanut, Tamarind or

or other trees, growing within the limits of a Ryots many kottum shall be exempted from Teervah –

136 – If any backyards exempt from Teervaput formerly belonging to Ryots who have either died or gone away without leaving any heirs, shall be occupied by new cultivating Ryots or Sookhovasthy Ryots. the said lands shall continue to be exempted from Teervah, but if any other Ryots in the Village already enjoying backyards free from tax shall take possession of such backyards or shall allege that they have purchased the same from the absent or deceased occupants, such pretext shall give the lands no claim to exemption, but they shall be charged with full teervah –

137 – As an order has been given to remit half the teervah on lands cultivated with American Cotton and Virginia Tobacco a separate account should be prepared shewing the extent, description

Circular 29th June 1833
Ld Mons 15th July

1590

Fort St. George 9th December 1840.

description and Teerwah and other particulars of such land, and forwarded to the Huzzoor for final order, to carry the same to the Luminaburdy accounts.

(Signed) J. Dent.
Commissioner.

(42-43)
Order thereon,
Ordered to be sent again in Circulation.
Recd

1591

Fort St. George 9th December 1840.

Read the following Letter.

To
The Secretary to the
Board of Revenue
Fort St. George

(44)
From the Collr.
of Trichinopoly

Sir,

With reference to the Extract from the Proceedings of the Board of Revenue dated 14th September 1840. I have the honor to submit for the information of the Board the accompanying copy of a precept from the Zillah Judge of Salem, directing me either to cause the Channel of Caultoopottoor to be closed in the manner indicated in the Decree, or to remit 600 Rupees to the Court for that purpose.

To close the Channel in the manner indicated, I believe to be a matter of impossibility. but as I presume I must either endeavour to do so or send the Money. I request that I may be authorized to remit 600 Rupees accordingly to the Zillah Court.

Fort St. George 9th December 1841.

of Salem, unless the Board should be enabled to take any measures to prevent what I cannot refrain from terming the farcical attempt from being made.-

Trichinopoly Collector's Office, 19th November 1841.

[Signed] A. S. Anslow
Collector.

A

Salem, Zillah Court. Original Suit No. 227 of 1837.

Plaintiffs. vers Defendants.

1 Annien. 1. W. M. Blair Esqre. Coll.r of Trichinopoly
2 Paupee Reddy. 2. John Orr Esqre. Princ.l Coll.r of Salem
3 W. C. Agilius Esqre. Sub Coll.r of Salem

(Seal)

To

A. S. Anshaw Esqre.
Collector of Trichinopoly

Whereas a Petition has been presented in the Court by the Court Vakeel Punchnadee Sastry on behalf of Paupee Reddy the 2nd Plaintiff praying for

Fort St. George 9th December 1841.

for the execution of the Decree passed in the aforesaid Suit in favor of the Plaintiffs, and an ameen having been sent by this Court to ascertain and report the probable amount of Costs for restoring things to their original condition, according to the purport of the Decree passed, he has in pursuance of this order reported that a sum of 600 Rupees and odd is required to effect the intended purpose.-

You are therefore hereby required, either yourself to cause the channel in question to be closed in the manner indicated in the Decree, or to send the aforesaid sum to this Court for the purpose of enabling the Court to execute the same.-

Given under my hand and the Seal of the Zillah court at Salem this 16th day of November A. D. 1841.-

(44-45)

[Signed] W. A. Keane
Judge

Proceedings thereon.- The Board of Revenue

&c

Fort St. George 9th December 1841.

see no resource but the payment of Rupees (600) Six hundred to the Judge of the adalat of Salem, agreeably with the Courts Precept, and Mr. Onslow will remit the amount accordingly..

Read the following letters..

To the Secretary to the
Board of Revenue
Fort St. George

(46)

From the Dpl. Coll.r of Madura

Sir,

Perusal of the Board's Proceedings of the 4th Instant, just recived, leads me to believe they consider that I ought and do keep a Diary of my Proceedings. I have the honor to request You will inform them I do not, and as that I never heard of one being kept in this or any other collectorate since 1820 or thereabouts.

Madura, 17th Nov.r 1841. } [Signed] I. Blackburne.
Dpl. Collector.

Proceedings thereon.

(46-47)

The Diary referred by the Board of Revenue in the Extract from their Proceedings of the 4th Nov.r was that required to be kept agreeably with the Provisions of Section XXI Regulation V of 1822. under which, in the Case there noticed, the Dpl. collector was stated to have acted.

Fort St. George 9th December 1841.

To, The Secretary to the
Board of Revenue
Fort St. George

(48)

From the Dpl. Coll.r of Madura

Sir,

In obedience to the endorsement on Petitions Nos. 1075 and 1362 of 1841, herewith returned, received yesterday I have the honor to state that in Fasly 1235. / A. D. 1825. / Mr. Collector Peter assigned to certain Ghat Cowlgars 302 13/16. Cawnies of Punjah land taxed at Rupees 593—15—1. per annum, out of the Petitioners estate which was under exemption, and from which he receives a Commission of ten per Cent. Tho' the land is taxed as above stated in the Survey accounts, the amount of tax on the average Cultivation did not exceed Rupees 333—3—9. per annum, making up to the end of last Fasly, an aggregate of Rupees 5,331—9—10. for which petitioner is

entitled

Fort St. George 9th December 18[illegible]

entitled to credit, when he is ready to adjust the accounts and pay the arrears which are at present for.

Principal	8,378.	5	2
Interest	1,583	4	8
	9,961.	5	10
Deduct above Maniem	5,331.	9	10
Net Balance due	4,629.	12	0

which sum I am aware he has no means of procuring but by loans.

2

It is but recently these circumstances have come to my knowledge and I had proposed to myself to report it for the Board's information when I was enabled to give them a final answer respecting all segmentered Collipute, and I will now beg them to give their attention to this subject as I am of opinion the alienation is irregular and improper, though at the same time I must observe these Cavilgars or a similar body of people are highly requisite, nay nearly indispensable to the security of that part of the country.

Madura, 19th November 1841.

[Signed] J. Blackburne
Princ. Collector.

Proceedings

48-49

Fort St. George 9th December 1842.

Proceedings thereon. Upon the receipt of the final report promised in Para 2 of Mr. Blackburne's letter the Board of Revenue will be prepared to submit to Government their recommendation in reference to the claims of Woothappa Naicken Zemindar of Woothappa Naickenoor. They concur with Mr. Blackburne in considering the alienation improper and that the Zemindar is entitled to credit for the sum claimed. it will be for the Principal Collector to consider whether it is not advisable, if the Estate be returned to the Poligar, to continue the Establishment making an annual deduction for its expenses from the permanent Peishcash.

To, The Secretary to the
Board of Revenue
Fort St. George

Sir,

50

From the Pl. Coll. of Madura - - -

False chops are frequently affixed to cloths of low value in common use within the Fort of Madura containing 2,500 Looms. Treble duty, as authorized

authorized by the Board's Circular of the 17th April 1834, is not sufficient to check the abuse. To report and obtain the Board's sanction for confiscation under Section XIX Regulation I of 1812 is a troublesome and dilatory process. I have therefore the honor to request authority for confiscation of Piece Goods under 10 Rs in valac, without the previous application to the Board.-

Madura - - - - }
20th November 1841. }

(Signed) J. Blackburne
Pl Collector

Proceedings thereon.

50-57

The Board of Revenue are not prepared to sanction an extension at present of the orders conveyed in the Circular letter of the 17th April 1834.-

To,
The Secretary to the
Board of Revenue
Fort St George

52

From the Pl Colle and Magistrate of Madura - }

Sir

I have the honor to forward Copy of a Letter of the 25th ultimo with its enclosure from the Officer in charge of operations at Poumbar, reporting the escape of

DESTROYED

of two convicts. Immediate communication was made to the Magistrate of Tinnevelly, in whose jurisdiction was formerly the residence of one of the Parties. I am sorry to learn by a subsequent demi Official communication from Captain Jenkins that the Peons sent into Ceylon to obtain tidings of the Runaways, have returned entirely unsuccessful. I am not aware of any wilful neglect and Captain Jenkins has felt obliged to content himself with dismissing the Peons who were in charge of the Party from which the two Convicts made their escape - every measure in his power seems to have been taken towards their re-apprehension; and I can now only suggest that a descriptive roll should be communicated to the authorities in Ceylon.-

Madura - - - - }
22nd November 1841. }

(Signed) J. Blackburne
Magistrate

To

18600

Fort St George 9th December 1841.

No

To

The Superintendant Collector and
Magistrate of
Chingleput
Madras.

Sir

I have the honor to inform you that on the Evening of the 22nd Instantly the Convicts while employed with a party in cutting wood in the Jungle a short distance from this made their escape, a party was immediately sent in search of them and to all the Polygars of the Vellore, but with the exception of their being traced about Four Miles on the Bommery road the 23rd nothing further has been heard of them, I have strong hopes out searching in the Jungles left the Convicts are sculking in the Chunderagherry Polygar Mountains as a large party of Sepoys have been sent in pursuit of them.

I have under engagingly; the honor to be Sir Your most obedient Servant

Jas Blackburne
Magistrate

Paumben - - - -?
25th October 1841. }

18601.

Fort St George 9th December 1841.

No 2

Descriptive List of the undermentioned Convicts who have deserted from Paumben on the 22nd October 1841.

Number of the Case	Names of the Prisoners and Caste.	Crime and Sentence	Term of expiration of Sentence	Description and Character.
15 of 1st Sessions 1837. C of 230 of 1838 R: 250. of Dr - -	Royapen - Pariah.	Highway Robbery 14 years Impt 11th Feby 1837. For an attempt to escape 18 Months. Impt 16th Novr 1836 For an attempt to escape 2 years Impt 21st Decr 1838..	11th February 1851 11th August 1852 11th Dr 1854	Bears a long Scar on his forehead. Colour brown. Character bad.
14 of 2nd Sessions of 1839. 31st of Dr - - - Dr - - -	Allagherry Naicken. Vadagen.	For wounding - August 6th 1839. For escaping Feby 25th 1840 -	6th August 1842 29th Decr 1842	Mark of Flogging on the Back. Pock marked in the face a Scar in the right knee. Bears bad character.

Paumben, - - - -
25th October 1841.

(True Copy)
(Signed) J. Blackburne
Magistrate

(Signed) J. A. Jenkens Lte Dy Asste
Qr Mr Genl of the Army in charge
of the Jail at Paumben.

Do.

1802

Fort St. George 9th December

To,

The Secretary to the

Board of Revenue

Fort St. George

53

From the Pr. Coll.r and Magistrate of Madura.

Sir

In reference to my

letter of the 22nd Instant, reporting the

escape of two Convicts from a working

Party at Paumben, I have the honor to

inform you, I am this day apprised by

the Magistrate of Tinnevelly of the

apprehension of one of them by name

Royappen.—

Madura 24th November 1841.

(Signed) J. Blackburne

Magistrate

52-54

Proceedings on the two foregoing letters.

It is sug-

gested to Mr. Blackburne that to

save time application be made direct

to the authorities in Ceylon for the re

apprehension of the Convicts stated to

have escaped from a working Party at

Paumben, and still at Larges.—

Read.

1803.

Fort St. George 9th December 1841.—

Read the following letter.

To, The Secretary to the

Board of Revenue

Fort St. George.

55

From the Collector of Tinnevelly

Reporting upon the applicability to this District of the provision of a draft of act which accompanied the Board's Proceedings of 30th September for defining and settling boundary disputes.—

Sir,

Para 1. I have the honor to acknowledge the receipt of the Extract from the Board's Proceedings of the 30th September, calling for my opinion as to the applicability of the provisions of a proposed Act, draft of which accompanied, to the circumstances of this District, and as to the necessity for alteration of the laws by which Boundary disputes are now adjusted.—

2 In reply I have the honor to state that the circumstances of this District, as to disputed boundaries, seem to call for some further means of definitively adjusting them, than the present Regulations afford - There are

now

Fort St. George 9th December 1841.

now disputes on this subject between the Government and the Zemindars, and between the Zemindars themselves of very long standing, and it must be presumed that had the existing Regulations been found effective in deciding them, they would not have been allowed so long to remain unadjusted. There are also disputes regarding the limits between this Government and that of Travancore which from being unsettled cause considerable inconvenience.

3. The Provisions of the act proposed give full powers for the definitive settlement of all such disputes, and the nomination of a separate Officer to this particular duty will greatly facilitate such settlement.

Tinnevelly, 17th November 1841. } (Signed) H. C. Montgomery. Collector.

Fort St. George 9th December 1841.

55-56

Order thereon,

Ordered to lie over.

57

From the Collr of Tinnevelly— Reporting upon the Petitions No. 1459 and 1346 of 1841. on behalf of Shunmooga Soondra Moodelly, claiming the management of a Chultrum.—

To, The Secretary to the Board of Revenue Fort St. George.

Sir,

Para 1. In reply to your letter of the 9th September last, transmitting for further enquiry a Petition from the constituted agent of Shunmooga soondra Moodelly praying for restitution of certain lands belonging to a choultry at Sengoondapoorum in the Shevellypootore Talook, Assumed in Fusly 1248 on the recommendation of Mr. Thompson and under the orders of the Board, I have the honor to state that on referring to the records of this Office, it appears that the Choultry in question was founded by Seedumbaranada Moodelly, and that the present claimant is his grand son and heir. The right of the Petitioner Shunmoogasoondra Moodelly to the enjoyment of the Village of Vachacarapatty and to the management of the Chultrum

Fort St. George 9th December 1811.

Chultrum has been investigated by several Collectors, and lastly by Mr. Drury whose decision, confirming one made by Mr. Bannerman in favor of the present Petitioner, was approved of by the Board, and from October of Fusly 1238. to December of Fusly 1248. Petitioner was in actual possession, when for the reasons stated by Mr. Thompson the Board authorized the Assumption of the Village and Management of the Choultry. The results of this measure is seen by the following Statement of Receipts and Charges.—

Receipts after paying Circar Peeshcush.—

Fusly 1248.	387.	1	1.	
" 1249	700	3	3.	
" 1250	855	4	4	
" 1251 up to 31st October	138	11	3	
			2,081	6 — 11.

Charges.—

" 1248.		"	"	"
" 1249	141	2	7.	
" 1250	280.	11	"	
" 1251 up to 31st October	51.	11	"	
			474	11 — 7.

Balance on hand Pup.s 1606 — 8 — 4

That

Fort St. George 9th December 1811.—

That the Petitioner has no summud to prove his claim seems quite correct, but the foundation of the charity by his ancestor, his possession of the Village, and the decisions already made in his favor seem sufficiently to substantiate such claim, and in the absence of conviction of misappropriation of the funds, the management of the Choultry might have been permitted to remain undisturbed.—

3. The Village of Vachacara-putty is entered in the accounts of Fusly 1211. as Cutgootah. It is stated to have been so granted in Fusly 1123. by the then ruling power, and on this favorable tenure it has been enjoyed. The continuation of it on these terms without a regular summud is an act of favor to the claimant, and should it be the decision of the Board to restore the Village and Choultry to him, I shall be glad to receive explicit Orders as to the disposal of the Amount already

already accumulated, which if made over to Shunmooga Soondra Moodelly, should be on condition of his expending a portion in repairing and improving the Choultry.—

4. The enclosures of your letters of 9th September and 5th November are herewith returned.—

Tinnevelly, 19th November 1811. } (Signed) H. C. Montgomery Collector.

Proceedings thereon,

(57-58)

The Board approve of the suggestions offered by the Collector in the foregoing letter, and authorize Sir, H. Montgomery to make over the Village of Vachacarapully to Shunmoogasoondra Moodelly with the management of the Choultry for which its revenues have been assigned as an Endowment.—

The Collector should take such steps as may seem necessary to require that the Choultry be properly repaired by the present Incumbent, from the funds in hand, which have accumulated under Ammanie Management, agreeably with

with the provisions of Regulation 7 of 1817 relating to the local Management of such institutions.—

To,

The Secretary to the Board of Revenue Fort St. George

(59)

From the Collector of Tinnevelly } Sir,

Agreeably to the orders contained in the Board's Endorsement on Petition No. 1143 of 1811. herewith returned, I have the honor to report that Petitioners under the denomination of Ambalagars, received up to Fusly 1247. exemption of Tax on one Loom each, together 3 Looms, for the service of collecting the Tax on 21 Looms worked by the Weavers of their Village, or Rupees 12—13—5. for collecting Rupees 82—2—9. At the Settlement of Fusly 1218. Mr. Thompson considering the duty performed by these and other Ambalagars of the Talook of Oalapedarum

Fort St. George 9th December 1841.

Cataipedarum to be trifling in Comparison with the remuneration hitherto allowed, issued an order limiting the amount of remuneration in future to 5 per Cent of the Amount collected and at this rate the Petitioners have since been paid. The exemption of one in every seven looms now claimed for the above described service appears exorbitant and inadmissable.

Tinnevelly
22d November 1841. } (Signed) H. C. Montgomery.
Collector.

59-60

Proceedings thereon,

The Board of Revenue are pleased to direct that the exemption from the Maturpha tax stated by the Collector of Tinnevelly to have been enjoyed by the Petitioners up to fusly 1247 should be continued to the Petitioners agreeably with usage. Sir H. Montgomery will issue the necessary orders to give effect to these instructions.

Ordered that the following Endorsement be passed upon Original Petition

Fort St. George 9th December 1841.

Petition No. 1143 of 1841.

"The Board of Revenue have furnished the Collector of Tinnevelly with instructions in the matter referred to in this address, and the Petitioners are accordingly referred to that Authority."

Read the following letters.

To,

The Secretary to the
Board of Revenue
Fort St. George.

61

From the Pt. Coll. of Coimbatore — Submitting his opinion on certain suggestions offered by the Collector of Malabar for the provision of good Tobacco for the Monopoly in that District.

Sir,

Para 1. I have the honor to acknowledge the receipt of the Extract from the Proceedings of the Board of Revenue dated 28th Ultimo, forwarding for my consideration and report, Copy of letter from the Collector of Malabar, suggesting measures for the provision of good Tobacco to be retailed in Malabar at a moderate cost.

2. I beg to state, for the information

Fort St. George 9th December 1811.

information of the Board that I have per-
=used Mr. Conolly's communication with care
and I am of opinion, that the measures he propo-
=ses, will not produce the benefit upon
which he calculates. If I may use the term
his proposition is a restless one, and betrays
a studiousness of change without the assurance
of any certain and substantial benefit
accruing from it or of
the introduction
of a better order of things; and I never saw
a less matured project offered for the consi-
=deration of the Board, with a result so certain
of loss of revenue, and so little proposed in recom-
=pense of it.

3.

The Collector of Malabar com-
=mences with an "axiom" of a very questionable Character
with reference to our existing relations with the
Native states of Travancore and Cochin
and the liberal views entertained by Government

J

I should think would not be acceptable.—

Mr. Conolly refers, with con-
=siderable emphasis in the Tobacco being of
four different qualities from which it
may be inferred, that a difference from one
to four is observable; How far this is the
case, I leave it for your Board to determine,
as I have taken the liberty to send you samples
from each description, the difference, I have
reason to know is more capricious than real,
and has been observed chiefly for regula-
=ting the price of the article, from the fact
that very lately the sorters themselves
could not in my presence on a second occasion
identify those bundles which on a previous
one they had classed: and I beg to say that the
Tobacco supplied from this District
is in no way inferior to the specimens
submitted for your inspection - its quality

+ Dispatched by Consecutive Tappals.

15

is good and unexceptionable, and continues to be so, until it undergoes a peculiar process of curing in Malabar - there it is resorted, rebundled, and repacked, which must, of course, tend greatly to deteriorate the quality of the article.

5.

With regard to the proposition to reduce the monopoly price from 175. to 157½ Rupees the Candy or at the rate of 10 per cent as an experiment. I am not aware upon what data this reduction has been calculated - but the proposition in its main features seems to me equally objectionable - the immediate loss of Revenue which would follow this reduction will amount to more than 50,000 Rupees to Malabar alone, while there is no certainty of a corresponding increase in the consumption of the Article should this concession not answer the end for which it is intended. Government will

+ Average quantity consumed in Malabar in a year, taken on the average consumption of last 3 years. vide note to para 4 of Mr. Conolly's letter ——— Candies 3,020.
Value at 175 Rs. a Candy ——— 5,29,550.
Reduction at 10 per cent ——— 52,955.

will with still less cause, render themselves liable to be called upon to allow another remission by way of further experiment - and thus there would be nothing but reduction after reduction until the monopoly no longer exists - In the mean time the frauds against the Revenue Laws will not cease. the present rate of 175. Rupees a Candy is stated by Mr. Conolly to have been fixed so far back as in the year 1822. 18 years ago - if there was no necessity to reduce it during this period, still less is it expedient with the increased population to allow a concession at the present time. with reference to the Collectors "trite" remark "that a decrease of price in an article of considerable use, leads to a larger consumption". I hope to be pardoned for not joining him in this belief, and to support my scepticism. I would merely instance the Post Office of Great Britain since the reduced rate of Postage - to say nothing of this Country -

6 With respect to the suppression

suppression of smuggling, it does not appear to me a matter of much importance how far the reward for the seizure of smuggled Tobacco is raised or the penalty extended, provided the punishment falls short of that for grave crimes, which would be the alternative left of those, who now live by smuggling; for it is an accepted belief, that it would never be possible to prevent effectually, the existence of a class of people, who are professional despisers of the constituted Laws, and that they will follow up their avocations wherever they are able to do so, with the least possible risk, and greatest profit, to themselves, and I am frank to confess I do think that any strong and successful measures for the suppression of smuggling will lead from fraud to crime, and the attacks which have heretofore been carried on to a certain degree against the Revenue Laws, will be turned against the subject, such having been the case during the year of the scarcity of Tobacco when almost all the

†1836/37.

the charges of a heinous nature perpetrated in the Talooks adjoining the boundary of Malabar were traced to the Mutteers.—

7. Having thus stated what appears objectionable to the adoption of the proposition suggested by Mr. Conolly, I would, before concluding observe that two remedial measures are still within that Gentleman's reach. the 1st is that the passes frequented by the smugglers should be guarded by the sibbendy of Malabar, and this District in conjunction, which could easily be done by mutually communicating to each other the different stations occupied by our sibbendy, for it is unnecessary to protect both entrances of the Ghaut, which I believe is now the case in some instances, this will virtually double our present guards- and 2ndly after this in the event of the Malabar Sibbendy still not proving sufficient, it would then be a matter of consideration to make such Augmentation as circumstances render necessary

necessary.—

8. In order to exonerate the Tobacco Department of this District from complaints of supplying bad Tobacco, I propose for the future, upon each consignment being made, sending direct to the Collector of Malabar a few bundles of each description of Tobacco, of which the consignment is composed with a Mahzurnamah from the Department solemnly affirming that the quantity consigned to Malabar is not inferior to the specimens forwarded to him.—

Coimbatore,
Pt. Coll.r Office,
16th November 1841.

/Signed/ J. C. Wroughton.
Principal Collector.

Proceedings thereon

(61-62)

The Board of Revenue approve of the proposition which Mr. Wroughton expresses his intention to adopt in the concluding Para of his letter, in reference to the future consignments of Tobacco to Malabar.—

(Copy of P.P. sent to the Principal Collector of Malabar)

2. In the present uncertainty as regards the measures in contemplation by the supreme Government for the modification

modification of the existing Tobacco Monopoly in Malabar, the Board of Revenue deem it inexpedient to discuss or to recommend to Government for adoption the suggestions offered by Mr. Conolly in his letter of the 6th October last.—

In Cons.t 28th Oct.r 1841.

To,
The Secretary to the
Board of Revenue
and Court of Wards.
Fort St. George.

(63)

From the Pt. Coll.r of Coimbatore ---

Sir,

Para.1 With reference to my letter to the Court of Wards, dated 30th September last, I have the honor to forward for their information, copy of my reply to a Precept, and of the Extract from the Proceedings of the Court of Circuit for the Southern Division having reference to a complaint preferred by Purvut Ammah Grand Mother of the Minor Zemeindar of Shamatoor and Cotampully.—

I request that I may be

2. favored with the instructions of the Court in

Fort St. George 9th December 1841.

in Order that the property of the Minor Zemin=dar may be disposed of as early as practicable.

Coimbatore,
Sheoloor,
24th November 1841.

/Signed/ S. C. Wroughton.
Principal Collector.

L. S.

To,
The Magistrate of
Coimbatore.

Herewith you will receive an Extract from the Proceedings of the Court of Circuit for the Southern Division of this Date, to the Orders Contained in which you are required to conform, and to make return to this precept without delay.

Given under my hand and the seal of the Court of Circuit this 30th day of October 1841.

/Signed/ G. S. Hooper
3d Judge on Circuit.

Extract from the Proceedings of the Court of Circuit under date 30th October 1841.

M.P. No. 17 of 1841. Read petition presented by

Coottyana

Fort St. George 9th December 1841.

Coottyana Moodelly agent of Pursut ammahl on the 26th October 1841 complaining against the Proceedings of the Magistrate of Coimbatore.

Ordered that copy of the above petition be sent to the Magistrate of Coimbatore, with precept requiring him to afford such explanation as the case may admit of, without delay.

/True Extract./

/Signed/ G. S. Hooper.
3d Judge on Circuit.

In acknowledging the receipt of the foregoing Precept accompanied by an Extract from the Proceedings of the Court of Circuit for the Southern Division dated 30th Ultimo, and Petition presented by Coottyana Moodelly agent of Pursut ammahl, complaining against the Proceedings of the Magistrate of Coimbatore, and requiring him to afford such explanation as the case may admit of without delay, the Magistrate of Coimbatore has the honor to state that a complaint having been preferred, and solemnly affirmed to before him by Agatta ammahl

mother

18622. Fort St. George 9th December 1841.

Mother of the Minor Zemindar of Shamatoor and Cotamputty, that Purvut ammahl the Grandmother of the Minor, who by chicanery and false statement, and in direct opposition to clause third, Section XIX, Regulation V. of 1804 obtained the temporary management of the Estate, had made an attack on the property of the Minor, and had stolen property and specie to a considerable amount, after breaking open the lock of the Soleput Treasury - under the circumstances attending this complaint, and with a view to protect the property of the Minor from further depredations by Purvut ammahl, such property as was forthcoming and portable, was placed in the Hoogoor Treasury - For the security of the other effects which were under lock and key, the official seal of the Principal Collector has been placed on the door of the Treasury and on the boxes, pending instructions from the Board of Wards to whom a Communication was made on the subject under date the 30th September 1841 -

Given under my hand and the seal of Office at Coimbatore this 5th day of November A. D. 1841 -

(Signed) I. Lo. Wroughton Magistrate.

(True Copy)

(Signed) I. Lo. Wroughton.

Jr. Collr. - Extract -

18623. Fort St. George 9th December 1841 -

Extract from the Proceedings of the Court of Circuit for the Southern Division under date the 13th November 1841. —

M. C. No 17 of 1841. Read Return under date the 5th November 1841. made by the Magistrate of Coimbatore to the Precept of the Court of Circuit under date 30th October 1841. calling upon him to afford explanation regarding the circumstances set forth in a Petition presented to the Court of Circuit by Cootteeyana Moodelly, agent of Purvut Ammahl, Grand mother of the Minor Zemindar of Shamatoor and Cotamputty, Complaining against the Proceedings of the Magistrate of Coimbatore —

The explanation afforded in the said Return appearing to the Judge on Circuit to be perfectly satisfactory, he refuses to interfere any further in the matter —

Ordered that Extract from these Proceedings be forwarded to the Magistrate of Coimbatore for his information —

(True Extract)

(Signed) G. S. Harper

3rd Judge on Circuit

Order

Fort St. George 9th December 1841.

Order thereon.

63-64

Ordered to be recorded.—

Read again letter from the Principal Collector of Canara, dated 1st and entered in Consultation 21st October last.—

Ordered that the following address be submitted in Consequence.—

To

The Chief Secretary to Government.

65

Sir,

To the Chief Secy. to Govt. Para 1.

I am directed by the Board of Revenue to request you will submit to Government for orders, the accompanying letter from Mr. Blair, Principal Collector of Canara, with its enclosures, having reference to a suit pending before the Zillah Court of Canara, to which the Officers of Government under instructions from the Supreme Court have been made supplemental Defendants.—

1st in Cons. 21st Octr. 1841.

2.

The matter at issue involves the right of Government in Warg No. 4 of the Village of Khisteshwar, and as thus the Board think is clearly shewn in Mr. Blairs' answer to be what is denominated a Circar Gueny Warg rented to tenants, but

Fort St. George 9th December 1841.

but to which neither the Plaintiff nor defendant can advance any claim as actual Proprietors, they direct me to request that authority may be given for defending the suit at the Public expence.—

3.

The delay in submitting this reference for orders has been occasioned, I am directed to add, from the Paper having been inadvertently mislaid.—

Revenue Board Office,
Fort St. George,
9th December 1841.

(Signed) R. S. Porter.
Acting Secretary.

Read again letter from the Principal Collector of Canara dated 3rd December and entered in Consultation 4th January last.—

66

Proceedings thereon.

Acquitting Sooba Rico, Goomastah of the Buntwal Talooka in Canara, of Embezzlement and of falsifying the accounts, and desiring that the amount alleged to have been embezzled by him together with the amount of the fine levied be returned to him.—

The Board of Revenue after an attentive perusal of all the Proceedings in this case are satisfied of the accuracy of the Receipts and Disbursements as exhibited in the Defendant Soobakow's Accounts attested as they are by the Talsildar, and they fully acquit him of embezzlement and of falsifying the Accounts.— They further desire that the amount

alleged

Fort St George 9th December 1811.

alleged to have been embezzled by him viz 20 Rupees together with the amount of the Fine 15 Rupees be returned to him, and that he be restored to his situation.—

2. In the concluding para of his proceedings in this case, the Sub Collector remarks on the law superintendence of the superior talook Servants which afforded opportunities to the accused of falsefying the public accounts.—The Shereestadar is removed in consequence to another talook, and the Tahsildar is reprimanded and cautioned, it being considered that the great extent of the talook of Buntwal, in obliging this officer to be constantly absent from his Head station, is some excuse for his neglect of duty.—

3. The Board regret to observe the recorded opinion of the Sub Collector on a system is prejudicial to the interests of the Government and of the people, over whom these Native Servants are placed in authority.—The employment of the Tahsildar in other parts of his talook should have been an additional

cause

Fort St George 9th December 1811.

cause for the deligence of the Shereestadar, and on his return to his Office it was obviously the duty of the Tahsildar to have examined the accounts of all receipts and disbursements which had occurred during his absence.—In the course of the investigation of the Sub Collector it appears that money was disbursed from the talook treasury without the sanction of the Principal or Sub Collector, and that the Salary of the Native Establishment were allowed to fall in arrears for many months contrary to the orders of Government which have been furnished for the guidance of the Principal Collector.—

4. The Board are not aware under what arrangement, with such a system as the Sub Collector has noticed, the Principal Collector provides for the Disbursement of the Public Money on account of Tobacco, Maramut, Sibbendy &c &c in the different talooks.—but they desire that he will give his attention to the irregularities of the

Superior

Fort St. George 9th December 1841.

Superior Native servants with a view to a better order of account and superintendence in the Talook offices, without which it cannot be expected that the Native servants will avoid the imputation of, as well as the temptation for dishonest conduct.—

Read the undermentioned Statements.—

67 From the Principal Collr. of Canara.— Comparative Statement of the Collections of Fusles— 1249. and 1250.——

68 From the Principal Collr. of Canara.— Comparative Statement of the charges of Fusles 1249. and 1250.——

Order on the 2 abovementioned Statements.—— } Ordered to be recorded.—

67-69. Read

Fort St. George 9th December 1841.

Read the following letter.

To The Secretary to the Board of Revenue

Fort St. George

Sir,

70 From the Coll. of Malabar.— } Reporting on the subject of Mr. Groves application for a grant for a piece of ground near the Kaitee water-fall, and transmitting a Survey of the same.

With reference to my letter of the 10th Instant, I have the honor to inform you that I proceeded to the Neilgherries on the 16th Instant, and inspected the land which Mr. Groves is anxious to obtain, near the Kaitee Waterfall.

2 The accompanying Survey made by Mr. Williams will suffice to give a general idea of the locality. It includes, it is true, only 600 out of the 2000 Cawnies applied for, but the remainder is ground of the same description on all sides of it except the North, and especially to the South.

The ground marked Belairee is not interfered with.

3 I beg the more strongly, that I have seen the ground, to recommend that Mr. Groves offer be accepted. It is hardly possible that one so favorable to the Government can be again expected. The ground generally speaking is immemorial waste, being covered with long

Fort St. George 9th December 1841.

long grass and in some places, with low jungle wood - There are some fine Forests or Choles interspersed here and there, but these, as I have particularly informed Mr. Groves, (and he has cheerfully assented to the arrangement) will be excepted from the grant, and only be given over to him on the stipulation on which woods in other parts of the Neilgherries have been given in to private hands - that the woods themselves be preserved, and nothing done to them which can in any way injure their beauty.

4 The Tahsildar has offered, in excuse for his unsatisfactory reports the difficulty he experienced in estimating the quantity of land which lay over so uneven a surface as that near the Kailas waterfall. His excuse is not altogether valid, as he gave me fully to understand that he had really made some thing like

Fort St. George 9th December 1841.

like an accurate inspection, but the fine I have inflicted on him may perhaps be considered a sufficient punishment for his carelessness.

Malabar, Collr's Office,
Calicut, 23d November 1841. } (Signed) H. V. Conolly
Collector.

70-71

Proceedings thereon - It is observed that in the Extract from the Minutes of Consultation of the 20th July 1841. the Collector of Malabar, besides causing a survey of the Land sought by Mr. Groves, was required by Government to report what the rates were, prescribed by the Cowlenamah of the District for waste land on the Neilgherries when occupied by Natives, and whether any objection existed to Mr. Groves holding the lands he solicits on the same terms - These Points have not been adverted to by Mr. Conolly in the letter now recorded, and the Board resolve accordingly to recal his attention to them -

Read the following letter -

In Cons.ns 2d aug.t 1841.

So

Fort St. George 9th December 1841.

To The Secretary to the
Board of Revenue
Fort St. George.

(72)

From the Coll.r of Madras. - -

Requesting sanction for the payment of Rs. 14,061-11-7 due to the Lessee for Cochrane's Canal for one year from 1st Dec.r 1840 to 30th Nov.r 1841.

Sir,

With reference to the correspondence entered in the margin, I have the honor to transmit herewith, for submission to the Board of Revenue, Copy of a letter from Messrs. Arbuthnot and Co.s of this date, and of the bill therein enclosed for the amount payable to the Lessee of Cochrane's Canal, for one year from 1st December 1840. to 30th November 1841. Rupees 14,061-11-7- for the payment of which they leave to request that the requisite sanction may be obtained -

2 It will be seen from Paras 45. to 49. of my report of date the 25th Ultimo, Sl.o 116, that the Gross Collections of Toll on the Canals for Fasly 1250 amounted to Rupees 30,623 - - 6 - The whole of the charges, including the

Fort St. George 9th December 1841.

the rent payable to the Lessee, amounted to Rupees 2,1,623-1-9. and the Net Revenue to Rs. 9,799-4-9 -

Madras, - - 1st December 1841. } (Signed) A Robertson.
Collector.

To The Collector of
Madras.

Sir,

We have the honor to submit our bill for the Stipulated amount due to the Proprietor of Lord Clive's Canal for one year from 1st December 1840. to 30th November 1841 - being Rupees (14,061-11-7) Fourteen thousand and Sixty one, annas Eleven and Pice seven, on which we request may be forwarded to Government to be passed for payment.

(Signed) Arbuthnot & Co.

The Honorable Company - - Dr.
To the Stipulated amount payable to the Proprietor of Lord Clive's Canal from 1st December 1840 to 30th November 1841 being one year

Comp.s Rup.s 14,061-11-7.

E.E. Contents Received Viz.t - Company's Rupees Fourteen thousand and Sixty one, annas Eleven and pice Seven -

Madras, - - - 1st December 1841. } (Signed) Arbuthnot & Co.

(True Copies.)
(Signed) A Robertson
Collector.

ordered

Fort St. George 9th December 1841.

Ordered that the follo[wing] address be submitted in consequence.

To The Chief Secretary to
Government
Fort St. George

(72-73)
To the Chief Secy to Government.

Sir,

I am directed by the Board of Revenue to request you will lay before the Right Honorable the Governor in Council the accompanying letter from the Collector of Madras submitting Bill forwarded by Messrs Arbuthnot and Co. for Rupees 14,961-11-7 being the amount payable to them as agents for the Lessee of Cochranes Farm for the year ending the 30th November 1841.

1st Cons. 9th Decr. 1841.

2 The Receipts are stated by Mr. Robertson to have amounted to Rupees 30,623-0-0 during the season and so the Net profit to Government after providing for the Lessee's rent and the expenses of collection, was Rupees 9,199-14-9.

Revenue Board Office
Fort St. George
9th December 1841.

(Signed) P. B. Smollett.
Secretary.

Read

Fort St. George 9th December 1841.

(74)
From the Secy to the Bd of Rev. in the Dept. of Public Works.

Transmitting for consideration and eventual disposal, certain papers on the subject of Desabundum Tanks in the Salem District.

Read the following Extract.

Extract from the Proceedings of the Board of Revenue in the Department of Public Works, under date the 22d November 1841.

Read again extract from Minutes of Consultation dated 2nd and recorded in Consultation 20th September 1841.

Replying to the Board's observations on the subject of resumption of the enams of (Here enter No. 1108) the Desabundam Tanks in the Tripatoor Talook of the Salem District.

From P. C. Salem 15th April 1841.
To Govt. 26th Do.
From Do. 1st May.
To P. C. Salem 31st Do.
From Do. 2d July.

Ordered (also) that a copy of the foregoing Extract with the original papers noticed in the margin, be transmitted to the Revenue Department of the Board of Revenue, where the subject adverted to in the concluding part of the above Extract will receive consideration and eventual disposal.

(A true Extract)
(Signed) C. A. Underwood.
Secy to the Bd of Rev.

To

1636

Fort St. George 9th December 1841.

To

The Chief Secretary to
Government.

Sir,

Referring to the Extract from the Minutes of Consultation under date the 17th May last, I am directed to transmit for submission to the Right Honorable the Governor in Council, the accompanying letter received from the Principal Collector of Salem, affording the information required relative to the repair of Dasabundum Tanks in his District, alluded to in my predecessor's letter of the 29th April 1841.

Under the explanation afforded and as the parties concerned have failed in their agreements, the Board recommend the resumption of the Enams under each of the four Tanks in question. As a general rule also, they beg to state as their opinion that it appears desirable when the terms are not complied with, every opportunity should

+ 22d Sulyn Cons. 9th Aug. 1841.

1637

Fort St. George 9th December 1841.

should be taken to resume Enams held on Dasabandam tenure.

Madras, 9th August 1841.

(Signed) G. A. Underwood.
Secy to the Bd. of Rev. & P. W.

Extract from the Minutes of Consultation under date the 2nd September 1841.

Read the following letter from the Secretary to the Board of Revenue in the Department of Public Works.

(Here enter 9th August 1841 No 428)

As it appears from the Communication submitted with the foregoing letter, that the Enamdars are unable to execute the necessary repairs to the Tanks (for the construction of which, and for keeping them in an efficient state of repair, a certain share of the cultivable land under them was granted to the parties as Enam) and that they desire to have nothing more to do with them, and as the Enams have been forfeited by the failure of the Proprietors to fulfil

Fort St.n George 9th December 1841.

fulfil the conditions of the grant, the Right Honorable the Governor in Council authorizes their resumption, and desire that instructions to that effect may be issued by the Board of Revenue to the Principal Collector of Salem. It is observed that if the repair of the Tanks was undertaken by Government and the Revenue of the Enams under them carried to account, the proposed outlay would not be liquidated until a period of from 19 to 17 years.

2nd The Board will state in reference to the remark of the Principal Collector contained in Para.3 of his letter "that the constant repairs these small "tanks require is often more than their "value," whether they still consider the repair of the four Dasabundum Tanks in Tripatore necessary according to the Estimate submitted on the 29th April last.

3d His Lordship in Council thinks

Fort St.n George 9th December 1841.

thinks with the Board of Revenue that as a general rule it would be desirable that Enams held on Dasabundum tenure should be resumed when the terms of the grant are not complied with, but before giving his sanction to this proposition, he would wish to have a report on the Dasabundum Enams in the Salem District. It is understood that the subject was discussed some time past and reported upon by the late Principal Collector Mr.r Cru.

/A true Extract./
/Signed/ W. Elliot.
Actg Secy to Govt.

To The President & Members
of the Board of Revenue
in the Dept.t of Public Works.

To The Secretary to the
Board of Revenue D. P. W.
Fort St.t George.

Sir,

I have the honor to forward an Estimate of Ordinary Works and repairs required to the Dasabundum Tanks in the Talook of Tripatoor of this District, and to request, that as the Enamdars state they are unable to undertake the works, and as their lands have not been cultivated during the last two years, you will have the goodness to recommend the work being performed by Government, and the Enams could be carried to account towards the liquidation of the outlay.

Salem Fillah, Cutcherry,
Pr.l Coll.r
15th April 1841.

/Signed/ J. D. Gleig.
Pr.l Collector.

Estimate

1840

Fort St. George

9th December 1841.

Estimate of Ordinary works and repairs required to the Ceylon Tanks in the Distt. of Salem for the year 1841.

Talook.	Names of Villages and Tanks.	Particulars of work required at each place.	Description and Contents of work. Tank Diggers work. Earth.	Lime Stone.	Masonry Stone in Chunam.	Brick in Chunam.	Price per Yard.	Amount of cost.	Remarks.	Estimated expenditure on each work during the last three years from 1838-39 to 1840.	Annual Revenue Estimated. Total of Estimate or Increase Calculated.	Charge revenue of last three years.	Price of Tobacco 1840.	Excess of Increase above last years revenue.
Tripatore	Mookumputty.	Earth work	4012 4				9							
		Tank—Making & repairing Clingulah	" " 275				3							
		Repairing breaches with new and old stone	" " 247 8				3							
		Earth work to Bank.	" " 209				2							
		Repairing a sluice												
	Kalacopum	Earth work	1,246 8		15 8	2								
		Tank—New & old stone work to Bank.	" " 94 8				9							
		Repairing a sluice					3							
	Horetty	Earth work	1583		13	2								
	Cuspary Tank	New & old stone work to Bank.	" " 148 8				9							
		Old stone to Do.	" " 93 8				3							
	Shalavarumputty	Earth Work	1,240				2							
		Tank—New & old stone work to Bank.	" " 582 12				1							
							2	343 2				253 5	187 1	217 15
								58 6						
								17 11						
								26	102 1			152 11	142 1	144 15
								78 14						
								27 13						
								11 11						
								77 8	118 6			113 7	105 4	105
								109 4						
									186 12			245 13	169 7	178 11

Total of Talooko— 750 5

Salem Zillah
Cutcherry
15th April 1841.

/ Signed / J. D. Gleig.
Pl. Collector.

To

Fort St. George 9th December 1841.

3

To

The Chief Secretary to

Government

Fort St. George.

Sir,

Para 1. I am directed by the Board of Revenue to request you will submit for the orders of the Right Honorable the Governor in Council, the accompanying letter from the Principal Collector of Salem with an Estimate appended of ordinary works and repairs required to the Dasabundum Tanks in the Tripatoor Talook of his District. -

Dated 15th April 1841 in Cons. 29th Do.

2. Mr. Gleig explains that the Cranmdars state they are unable to undertake the works, and as these lands have not been cultivated during the last two years, he suggests that the proposed improvements be in the first instance defrayed by Government, and the Cranis carried to account towards the liquidation of the outlay.

The

Fort St. George 9th December 1841.

3 The Tanks to be repaired are four in number and do not appear to have received any Mahramut during the last 5 years, and as the sum now proposed to be disbursed on them, and for which sanction is solicited, is only Rupees 1750 — a — / Seven hundred and fifty, the Board beg to recommend the Principal Collector's proposal for the favorable consideration of His Lordship in Council. -

Fort St. George,
Revenue Board Office,
Dept. of Public Works,
29th April, 1841. -

/signed/ J. Ouchterlony
Actg Secy Dept. of Public Works

Extract from the Minutes of Consultation under date the 17th May 1841. -

Read the following letter from the Secretary to the Board of Revenue in the Department of Public Works. -

/Here enter 29th April 1841 No 242/

Before sanctioning the Estimate submitted with the foregoing letter, for ordinary repairs to

1843. Fort St. George 9th December, 1841.

to the Dasabundum Tanks in the Tripatore Talook of the Salem District, the Right Honorable the Governor in Council would wish to be informed upon it is intended that the Enams granted for the construction of those Tanks should be permanently resumed, or that the revenue thereof should be carried to account until the proposed outlay is liquidated. -

If the latter arrangement is meant to be adopted, the Board of Revenue will state whether under the conditions on which the Tanks were constructed, the Enam lands granted for that purpose are not liable to resumption in consequence of the Proprietors having failed to fulfil those conditions, and the Board will at the same time furnish information as to the extent and revenue of the enams under each of

1844. Fort St. George 9th December 1841.

of the four Dasbundum Tanks which it is proposed to repair at the Government expence. -

/ A true Extract. /
/ Signed / H. Chamier.
Chief Secretary.

To
The President & Members
of the Board of Revenue
in the Dept.t of Public Works.

To
The Principal Collector in the Zillah
of
Salem.

Sir,

I am directed by the Board of Revenue to transmit the accompanying copy of Extract from Minutes of Consultation of Government of the 17th Instant, with a request that you will have the goodness to communicate to this Department the information sought by the Right Honorable the Governor in Council. -

Cons.a 31st May 1841.

Fort St. George,
Rev.e Bd. Office,
Dept.t of Public Works,
31st May 1841. -

/ Signed / C. Buckle Secretary.
Actg Secy to Dept.t of Public Works.

To

1845

Fort St. George 9th December 1841.

To

The Secretary to the

Board of Revenue

Dept. Public Works

Fort St. George.

Sir,

In reply to your letter of the 31st May last conveying Extract from the Minutes of Consultation under date 17th May 1841. I have the honor to inform you that the Tahsildar of Tripatore reports that the Dufsalundadars of Moodumputty, Keelacoopum and Koretty Curpary tanks state, that they are unable to make the necessary repairs, and wish to have nothing more to do with them, as their Enams are so small. The Durbundadar also of the Malaverumpully tank says if he is allowed an Enam according to the Amount Cultivation, he will make the repairs.

2. Many of the Enams held on Dufsalundums Tenure in the District are far too limited, they were fixed usually

1845

Fort St. George 9th December 1841.

usually I believe on the Cultivation of the first year after completion, and have never been increased with the increased Cultivation, in consequence they are useless for the purposes intended. An instance is now before the Board on all three Dushandums, now reported on particularly the last one of Thalaverumpully where the average Cultivation for 5 years is 169, and the amount of Enaum granted only Rupees 10-14-0 whereas were the usual allowance of 25 per Cent given, it would be Rupees 42-4-0

3. There is no doubt that the Enams are liable to resumption on the non fulfilment of the conditions of Grant, but there will I think be a loss to the Government by these small works whether resumed or not, if the holders of the Enams do not have a sufficient remuneration to make it their interest to keep them in a state of repair.

If

Fort St. George 9th December 1841.

If not resumed, every years payment is a loss, for when heavy repairs become necessary the tank is thrown on Government hands and if resumed, the contant repair these small tanks require is often more than their value. I intend addressing the Board hereafter on this subject, and am of opinion that in all such cases as that of the Shalavaream=pully tank, where the means for upholding it are so inadequate, a shamilat share should be given, or in other words, an average on the years Cultivation, in this case there is not only inducement to preserve the efficiency of the irrigation Source, but also to bring up to the utmost the Cultivation.

4. Statement as required of the extent and revenue of the Enams accompanies as well as translates of the documents given by the Enamdars before the Tahsildar.

Salem Zillah, Office
Pro Collr Cutchary
22d July 1842.

/Signed/ J. D. Gleig.
Principal Collector.

Translation.

Fort St. George 9th December 1841.

Translation of a Deposition given by Chendriah one of the Dasavundum Enamdars of Moodrumputty Tank before Kistnarow, Tahsildar of Tripatoor Talook on the 31st March 1841.

2. It is now 2 years since the Moodrum=putty Dasabundum Tank breached, why is it not repaired according to the Estimate?

A. I am unable to do it owing to the Enam being very small and the Estimate exceeds my means.

/Signed/ Chendrien.

/"/ Kistnarow
Tahsildar.

Translation of a Deposition given by Venentramana Sastry Dasanundum Enamdar of 2 Tanks of Kelatoopum and Coutty Caroopary, before Kistna row Tahsildar of Tripatoor on the 30th March 1841.

2. Why are not the repairs on Estimated for to the two Tanks executed, it is now 2 years since the Tanks breached

4

18649. Fort St. George 9th December 1841.

A. I am unable to undertake the repairs on account of the Enam being very trifling

/Signed/ Veneatramanah Sastry
/u/ Kistnarow
Tahsildar.

Translation of a Deposition given by Vencatrow. one of the Dasavandums & Enamdars of Moodumputty Tank residing at Tripatoor. before Kistnarow, the Tahsildar of Tripatoor Taluk, on the 30th March 1841.

Q. Why is the Maddrumputty Dasahundum Tank not repaired as yet, it being 2 years since the repairs were Estimated for, at Rupees 343-2: from your neglect the lands have been left waste ever since?

A. From the Enam being very trifling, I am unable to undertake the repairs, the Estimate being very great.

Q. Do you wish the Enam to be continued to you or not?

A. I

18649. Fort St. George 9th December 1841.

A. As I have not the means to repair the Tank, Government may do so if they please.-

/Signed/ Vencatrow.
/u/ Kistnarow
Tahsildar.

Translation of a Deposition given by Chengien one of the Dasavandum Enamdars of Moodumputty residing at Cushah Tripatoor, before Kistnarow Tahsildar of Tripatoor Taluk on the 30th March 1841.

Q. Why are not the repairs Estimated for at Rupees 343-2- executed to the Dasavandum Tank it being now two years since the Tank has breached?

A. I am unable to execute the work, as the Enam is very trifling & besides the land has been Gifted by Government.

Q. If the Maneem is restored will you repair it?

A. I am unable.

/Signed/ Chengien.
/u/ Kistnarow
Tahsildar.

Translation

1851.

Fort St. George 9th December 1841.

Extract of a Dispatch from the Court of Directors in the Revenue Department dated 19th May 1841.

Para 1. We have now received the Accounts of the Land Revenue of the Carnatic for the year 1839-40 and have perused the same with attention.

Para 2. We observe that the Collector of Salem has not yet been able to complete the Survey of the Tanks in the Dasabandum Enams, according to the Rules prescribed in the Board's Proceedings of the 12th April 1836.

Para 3. We shall require the necessary returns to be furnished to the Collector of Salem, by the Superintendent of Enams, if not already done.

Para 4. We shall then be able to decide finally upon the Claims of the Enamdars to the Lands in question, and how much is to be resumed.

I am directed to request that you will call for the Survey of the Dasabandum Enams above referred to, and report the Extent and Revenue of the Lands so resumed.

Madras Revenue Board 2nd December 1841.

(Signed) W. Oakes Esqr.

Secretary.

To the Collector of Salem.

Transmitted to the Collector.

(Signed) J. D. Gleig.

Pl. Collector.

1852 Fort St. George 9th December 1841.—

Statement of the Extent and Revenue of the Dasabandum Enams.

	Names of the Tanks.	Extent of Land			Revenue		
		Acres	Goontahs	Cawnahs	Rupees	A.	P.
1	Moodumpatty	5.	9.	9	31.	5.	8
2	Helacoopum Tank	2.	28	10	12	11	0
3	Horetty Carpary Tank	2.	4	0	9	13	6
4	Shalavarumputty Tank	2.	13	6	10	14	2
	Total	12	15	9	64	12	4

Salem Hillah, Office
Pl. Coll. Cutcherry,
22nd July 1841.

(Signed) J. D. Gleig.
Pl. Collector.

Order thereon. (74-75)

Ordered, to be sent again in Circulation.

Read.

Fort St. George 9th December 1841.

Read the following letter.

To

P. B. Smollett Esquire

Secretary to the

Board of Revenue

Fort St. George

(76)

From Wm. Franklin Incharge of the Manaar Survey.

Sir,

With reference to the annual Examination of the Pearl Banks, resolved on; I have the honor to request the Board will be good enough to inform me if that duty will devolve on me this season; that I may be

Fort St. George 9th December 1841.

be enabled to make the requisite arrangements in time.

Signed John Franklin.

Putlecorren, November 17th 1841.

In charge of the Manaar Survey.

Ordered that the following letter be sent in reply.

To J. Franklin Esqr.

(76-77)

Lr. to J. Frank-lin. Inst. 9th Dec. 1841.

Sir

In reply to your letter of the 17th November, I am directed by the Board of Revenue to state that they understand it to be the intention of Government that the examination on the Pearl Banks on the coast of Tinnevelly shall be conducted by you. It will be proper therefore to make such arrangements as may be necessary for that purpose at your earliest convenience.

Signed P. B. Smollett.

Secretary.

Board's Office, Fort St. George, 9th December 1841.

Read the following letter

To

Fort St. George 9th December 1841.

78

From L. Compton Esqre. Solicitor Madras.

Supreme Court — Madras. Equity Side.

Pauper.

Meer Ismail Ally Saib and his wife Moorat Bee V. Mahomed Thayer & others.

To

The President and Members of the Board of Revenue Fort St. George.

Regarding the orders may be issued for putting a Stop to the payment of all future produce and revenue of certain Jaghire lands to Mahomed Thayer, son of the late Mahomed Ghouse Subadar Major of the Body Guard pending certain investigation in the Masters office.

Gentlemen.

I am instructed by my clients the Complainants above named, to inform you that the Government of Fort St. George were pleased to grant and bestow on Mahomed Ghouse Khan Shumsheer Jung Bahadoor, since deceased, the late Father of my Client Moorat Bee, who was a Soobadar Major of the Body Guard, two Jaghire Lands, one situated at Codumbaukum, about 5 Miles from Madras and the other situated at Covaypaukum distant about 35 Miles from Madras That the said Mahomed Ghouse Khan up to the period of his decease, which happened on or about the 23d day of September 1830, was in the receipt and enjoyment of the produce and revenue of

of such lands amounting annually to the sum of 1,500 Rupees. or thereabouts. That Mahomed Thayer one of the Defendants in the above cause, subsequent to the death of the said Mahomed Ghouse Khan, as his eldest son and managing Member of the family has been and now is in the receipt and enjoyment of the same, to the total exclusion of my clients, and the other Members of the family although they are justly entitled to participate with him therein. That this suit has been instituted by my clients against the said Mahomed Thayer and the other Defendants for a partition and division of the Property and effects of which the said Mahomed Ghouse Khan died possessed and whereof the said Mahomed Thayer hath possessed himself, and that a Decree was pronounced therein by the Honorable the Supreme

Fort St. George 9th December 1841

Supreme Court, on the 4th day of August last
whereby it was ordered amongst other things
that it should be referred to the Master
of the said Court, to take an account
of the Real and Personal Estate of the said de-
Intestate, and of the Rents, Issues and profits
thereof, which have come to the hands of
the said Defendant Mahomed Thayer, or of
any other person or persons by his or
order or for his use. and to ascertain
who were the Persons entitled at the time
of the said Intestates death, to distribute
shares in his Real and Personal
Estate and in what proportions.

Under which circumstances,
I have the honor, on behalf of my cli-
clients, to request you will be pleased to
issue the requisite orders towards putting a stop
to the payment of all future Produce and
revenue of the said two Jaghire Lands
to the said Mahomed Thayer, or to any other
person or persons whatever, to abide the
event of this suit.

Madras, - - -
25th November 1841.

(Signed) Leonard Cowper,
Compt. Hth S.C.

Order

Fort St. George 9th December 1841

(78-79)

der thereon.

Ordered to be recorded.

Read the following letter.

(80)

From
T. Cockburn Esqre

Requesting that the demand on acct. of arrears of Quitrent due on certain lands on the Shevaroy Hills in Salem, the property of his brother, may be suspended until his Brother's return from England, or until a reply from him on the subject can be received.

To The Secretary to the
Board of Revenue
Fort St. George.

Sir,

The Principal Collector of Salem having addressed a letter under date the 9th Instant to G. F. Cockburn Esqre as the owner of the property situated on the Shevaroy hills, which was formerly in possession of our Father Mr. M. Cockburn, and as in that letter he intimated his intention of proceeding to recover the arrears of quit rent by distraint and sale, unless the same be paid on or before the expiration of one Month.

And as the Collector declines allowing further time. I have the honor to request you will submit to the Board of Revenue that Mr. G. F. Cockburn having gone to England. I have to beg, as the person in whose charge the property was left, that

From

Fort St. George 9th December 1841.

that they will have the goodness to allow the demand to lie over until my brother Mr. G. F. Cockburn's return or at least will allow me a sufficient period to receive a reply from him and I have to solicit that Instructions may lie sent to the Collector to that effect.—

I am aware of its having been the intention of my brother to have settled this demand previous to his departure, had he received a reply to the letter on the subject he addressed to the Collector, dated 10th September 1841.—

Salem,
23rd November 1841. } (signed) T. Cockburn.

Ordered that the following letter be sent in reply.—

To Thomas Cockburn. Esqre
Salem.

Sir,

(80-81)

To
T. Cockburn Esqre &c.
In Cons. 9th Dec. 1841

I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 23rd November, and

in

Fort St. George 9th December 1841.

in reply to acquaint you that the recovery of the arrears of quit rent on the lands on the Shevaroy Hills, occupied by Mr. G. F. Cockburn, has been ordered by Government to whom that Gentleman's claims for remission were submitted by the Board of Revenue. under these circumstances the Principal Collector is necessitated the enforce the demand agreeably with the Regulations, and the Board feel themselves precluded from interfering in the case.—

Revenue Board Office,
Fort St. George,
9th December 1841. } (signed) P. B. Smollett.
Secretary.—

(82)

From the Collector of Guntoor. Read register of petitions bearing the Board's endorsements presented to him in the month of October last.—

Order thereon.—

(82-83)

Ordered to be lodged in the office.

Received the undermentioned miscellaneous letters and Statements.—

From

84 From the Accountant General. Indent on the Commissary General for Sundry articles required for the use of the General Department of this Office for December last.—

85 From the Accountant General. Indent on the Commissary General for Sundry articles required for Binding 100 Books of the General Department of this Office.

86 From the Accountant General. Indent on the Commissary General for Sundry articles required for the use of the Revenue Department of this Office for the month of December last.—

87 From the Deputy Acct. General. Indent on the Commissary General for Sundry articles required for the use of the Military Department.

Department of this Office, for the month of December last.—

84-88 Order on the 4 above mentioned Indents. Ordered that the Original Indents be passed and returned.—

89 From the Coll.r of Malabar. Abstract of Demand, collection and Balance for the month of October last.—

90 From the Coll.r of Malabar. Statement shewing the average Bazar wholesale prices of grain and Salt for the month of October last.—

91 From the Coll.r of Rajahmundry. Reporting that there is no item to submit the return of the Village Servants suspended and dismissed under Regulation VI of 1831. for the month of October last.—

92 From the Coll.r of Tanjore. Statement shewing the distribution of the proceeds of articles confiscated in his District from 1st January to 31st December 1841.

From

1883

Fort St. George 9th December 1841

93

From the Collector of Tinnevelly - Statement of smuggled goods recommended for confiscation in the Month of October 1841 under Clause I. Section XIX. Regulation I of 1812.

Order thereon.

93-94

Ordered that the confiscation and sale of the smuggled goods recommended in the above Statement be authorized.

" Bruce

" F. Thomas

" Walter Elliot

" J. Maclean

Compd