16348 Fort St. George 26th November 1845

Diary.

26th Novr. Received the following letter

To,

J. Pycroft Esqre

Secretary to the

Board of Revenue

Fort St. George.

Sir,

1. From C. B. Smollett Esqre
Actg Collr of Ganjam ----

I have the honor to forward for publication in the Board's Office an Advertisement for the sale of the Mootah of Vodapadoo, the property of Ingelega Gopaulcroottnamah for the Arrears of Revenue due for fusties 1253 and 54 as noted in the Proclamation. The date of sale has been fixed for the 31st December 1845.

2. This person has failed to make any arrangements for the discharge of the Balance as had been expected and has left the district. The sale therefore seems imperative, and with reference to the present advanced state of the season the earliest practicable orders are solicited.

Ganjam District ----
Collrs Cutcherry ------
Chutterpore 18th Novr 1845.

(Signed) C. B. Smollett
Actg Collector.

A.

Advertisement.

1. Notice is hereby given that unless the Arrears of Revenue outstanding against

against the undermentioned Estate in the Zillah of Ganjam for Fusslies 1253 and 54 shall have been liquidated on or before Wednesday the 31st Decr. 1845, the Sale of this Land will commence by Auction at the Collectors Cutcherry at Chutterpore on that day and will continue until the land shall be sold - The Amount advanced for Cultivation and repairs will be made known at the time of Sale.-

No.	Name of the Estate	Number of Villages	Permanent assessment	Amount of Arrears due For Fusly 1253			For Fusly 1254			Total		
			Rs	a	p	Rs	a	p	Rs	a	p	
1.	Vodapaudoo	1	109	7	11	20	14	11	109	7	11	130 6 10

2d. Persons desirous of becoming Purchasers may depute Authorised Agents or Vakeels for the purpose and all purchases made by such Authorised Vakeels shall be held to be valid in the same manner as if the purchase had been made by the principals.

3d. But it is required that such Authorised Vakeels shall state at the time of purchase the names of their Constituents in behalf of whom such purchase may be made.-

4th. The intention of the condition being to prevent Fraudulent Collusions, notice is further given that in the event of any purchase being made under a fictitious name the deposit money made on account of such purchase

purchase will be liable to be forfeited to Government and the Talook to be resold.-

5th. Adamnud Imilket Istimerar or Deed of Permanent right has been lodged at the Cutcherry of the Collector and at the Office of the Board of Revenue describing the obligation to be incurred and the rights to be obtained by purchasers of land under this Advertisement all persons are therefore referred to that instrument for particular explanation.-

6th. The Purchasers of Estate will not be put in possession till the Sale has been sanctioned by the Board of Revenue, but in the mean time 15 p/c Cent of the purchase money will be required to be deposited immediately and Security given for the payment of the remainder on the receipt of the Boards sanction or within one Month from the day of Sale, in default whereof the Talook will be resold at the risk of the first purchaser.-

7th. In case of the Sale not being sanctioned by the Board of Revenue, the deposit money will be returned and persons depositing it released from all responsibility with regard to the Talook.-

8. For further particulars enquire at the Office of the Board of Revenue or at the Collectors Cutcherry at Chutterpore between 10 and 5 Oclock except on Sunday.-

Ganjam District ---
Colrs. Cutcherry ---
Chutterpore 18th Novr. 1845

Signed P. B. Smollett
Asst. Collector.

Resolution thereon- The Board Authorize the (1-2) Sale of the Vodapadoo Mootah for Arrears and the publication in their Office of the Advertisement which accompanies the foregoing letter.-

AC

10351 Fort St. George 27th November 1845.

At a Meeting Present

Thursday 27th Nov.r 1845. } G. D. Drury Esqre Senior Member
A. Maclean Esqre Actg Second Member
and
J. Goldingham Esqre Actg Third Member

Minutes of the last Meeting read and Approved

Read again Extracts from the Minutes of Consultation dated 30th June and 25th July and Entered in Consultation respectively 20th Instant. Also another dated 20th September and Entered in Consultation 16th Ultimo.-

Read again also letter from the Collector of Trichinopoly dated 16th November and Entered in Consultation 12th December last.-

Ordered that the following address be submitted in Consequence.-

To

10352 Fort St. George 27th November 1845

3

To The Chief Secretary to Government

Sir,

To The Chief Secretary to Government

Submitting with reference to Extract M. of Con.n dated 30th June and 25th July last a letter from the Collector of Trichinopoly regarding Compensation to be given to the Mew Cavilgars in that District with the observations of the Board on the Notes by Mr. D. Elliot on the subject, stating with reference to the Military Abkarry limits of Trichinopoly that the difficulties experienced by the Magistracy is likely to continue as long as the Abkarry and Police of the populous Island of Seringham are under different Officers and recommending that the Coll.rs request for the appointment of 2 Cavilgars for the Village of Manegundoor should be complied with.-

Rd. and Cond. 12th Dec.r 1845.

1. I am directed by the Board of Revenue to acknowledge the receipt of Extracts from Minutes of Consultation noted in the margin having reference to the Police in the District of Trichinopoly. The points embraced therein are compensation to the Mew Cavilgars in that District, the Military Abkarry limits of the Town of Trichinopoly, and the proposed appointment of 2 Cavilgars for the Village of Manegundoor on the Southern high road leading to Madura Timnevelly &c.a at which place certain inhabitants of Trichinopoly have lately constructed a commodious choultry for the benefit of travellers.-

Minutes of Con.n 30th June 1845
Do. 25th July 1845
} Rd. and Cond. 20th Inst.

2. In regard to the compensation to be given to the Mew Cavilgars I am directed to submit a letter with enclosures from the Collector of Trichinopoly dated 16th November 1844 on this subject. It will be seen that the Collector has arranged all cases of Compensation under 2 Heads. 1st.o Individuals whose income exceeds 100 Rupees per annum, and 2dly. Individuals below that Amount and that with the exception of 6 Individuals none "of them are above the rank of Common Cultivators"

It

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It is proposed by the Collector to give 15 per Cent of the former emoluments to the 1st Class and ½ Rupee per mensem or 6 Rupees for the whole year to the persons comprising the 2d Class. The aggregate annual charge computed in this way is Rupees 4,454-2-2 and the former annual income which has been resumed was Rupees 10,873-8-9½ a higher rate of Compensation is in the opinion of the Collector not called for:-

	No. of Individuals	rate of Compensation	Amount of Compensation		
Zemindars	6	at 15 per Cent	1676	"	9
Other Individuals	4	"	96	1	5
Individuals below 100 Rs.	447	at ½ Rupee per mensem	2682	"	"
	457		4,454	2	2

3. The Compensation to Zemindars excepted (whose condition in life does not call for indulgence) the amount suggested by the Collector appears proper and the Board would accordingly beg to recommend that sanction may be given for the payment of Rupees 2,778-1-5 to the parties interested. The payment in each case to be made from the date of first resumption of the former emoluments. The terms will be for life only except in special cases in which the destitute state of the family may call for relief. the propriety of the renewal of the allowance wholly or in part to be determined on the death of the incumbent.

	Rs A D
Total Compensation recommended by the Collector	4454-2-2
Deduct Zemindars	1676—"—9
	2778—1—5

The

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Board's Pro. 16th Nov. 1843. Para 48

4. The number of Men Cavilgars at present is stated to be 457, on a former occasion the number was reported to be 1150. The difference is large owing as the Board imagine to the Compensation being strictly limited to parties who actually enjoyed the former emoluments.-

5. The attention of the Collector will be again called to the subject of the Fees enjoyed both by the Men and Cooly Cavilgars and he will be required to ascertain beyond doubt whether these emoluments were deducted from the Gross produce in any Villages before a division of the Crop, and if so to what extent and to submit a Statement shewing the financial result of the present measures, the Charges on account of Compensation to Men Cavilgars and for the appointment of Cavilgars throughout the District being exhibited on the one hand, and on the other the amounts carried to the Credit of Government from resumed lands and other items.-

6. With reference to Extract Minutes of Consultation, dated 20th September 1845 with Notes by Mr. Daniel Elliot on the subject under consideration. The Board beg to submit the following observations.-

in Cons. 16th Oct. 1845.

7. The number of Men Cavilgars 1150 is supposed by Mr. Elliot to represent the number

number of present claimants and not the ori-
=ginal list of officers of this class. The dis-
=crepancy in the numbers reported by the Col-
=lector has been noticed by the Board above.
No doubt the emoluments of the office have
been divided among the descendants of the
first Cavilgars but the determination of the
question of Compensation is in no way affected
by this circumstance as the Grant is limited
to such only as were actually in enjoyment
of the former emoluments at the period
of their resumption.-

8. In regard to the principle
which should regulate the rate of Compen-
=sation it is suggested (in these paras) that no
reduction should be made when the income is be-
=low 10 Rupees, that Rupees 100 might be assumed
as the minimum upon which the Compensation is
to be settled at 15 per Cent and that all interme-
=diate incomes between these limits might be
adjusted by the Collector under the Control of
the Board. It will have been seen that the Col-
=lector has already adopted the minimum sug-
=gested by Mr. Elliot. The rate of Rupees 6 per
annum recommended by the Collector for all
other cases appears fair.-

9. It has also been recommended
by the Board that the Grant in each case
shall

shall be for life to be renewed in special cases
only the specific grounds for renewal wholly
or in part being stated at the time.-"

Past receipts Mr. Elliot is of opinion should
not be discredited by any deficiency on the
collections since the date of resumption. It
will have been seen that past collections have
been taken as the standard upon which the
Compensation has been calculated.-

10. Mr. Elliot is of opinion that
where it is found difficult to obtain Cultiva-
=tors who will pay the full Assessment of the
resumed lands it might be desirable to re-
=store them to the Cavilgars "reckoning the
"Assessment in part of the Compensation awarded
"to each when the latter exceeds the former, and
"taxing the land with the difference as a quit
"rent when the Assessment exceed the Compen-
"sation." The full Assessment will be obtained
the Board are inclined to think for the lands
in question when the Arrangements regarding
the proposed Compensation are finally Car-
=ried out. Till then it is to be expected that
new parties will be backward to take them.
The Compensation is a life interest only
and the Amount is too small to render it
expedient in a financial point of view
that the lands should be restored. In cases
in which the Ex Cavilgar is the Cultivating
occupant.

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occupant, as well as Cavilgar he should of course be maintained in possession, the full Assessment being demanded from him as from all other occupants of land paying full Assessment-

11. Where the former emoluments were collected out of the Gross produce the continuance of the collection to the extent of the right of Government, may be enforced, if necessary- In other cases in which the payment was made out of the Ryots share, the collection the Board are of opinion should be discontinued-

12. Mr. Elliot is under the impression that it is the wish of Government to discourage the "employment of Men of this "class to complete the Establishment of the "Village Cavilgars"- The Board have not placed this construction on the orders of Government- On the contrary they are of opinion that it is the desire of Government that the Ex Cavilgars shall find service in the public establishments at the discretion of the Magistrate, but that employment is not to be given "solely to obviate "the demand for Compensation."

Minutes of Cons. 12th April 1844 Para 7. Infos. 29th April 1844-

Coody Cavilgars

13. The additional expense to Government from the proposed fixed payment in money to Coody Cavilgars is discussed under this head and in the Concluding Para-

and

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an arrangement is suggested for consideration, whereby the Cavilgars will retain their lands and receive payment in money in addition when their receipts from this source fall below a given amount- The Board incline to the opinion that one uniform system of money payment from being regulated and certain, is better adapted to insure efficiency- but under all circumstances they are not aware of any objection to the proposition of Mr. Elliot that the Coody Cavilgars shall be allowed to retain their lands and that an allowance shall be given when the emoluments are below a given sum- The Board would fix 24 Rupees per annum as the limit and would suggest that when the full Assessment of the land would be below this amount the difference may be made up to the Cavilgars by a money payment.-

14. It is unnecessary to advert to the calculations regarding the additional charge to Government which the proposed arrangement will entail as the Collector has been required to report finally the financial result- where the fees were received from the Ryots share of the produce it is obvious that a set off against the new charge cannot be reckoned upon from this

this source. Where the fees or any portion of them were deducted from the Gross produce the Gov=ernment will be entitled to one half only of the amount. The remaining half belongs to the Ryot and no portion of it can be held available as a set off for meeting the proposed charges.

Note Mr. Elliot deducts ½ of the present contribution of the Ryots but as this is a part of the Ryots share of the produce the amount cannot be made available to meet the new charges on the abolition of the Canil System.-

The Moturpha receipts in Arealore and Woodiarpolliem will appear as a set off, what=ever the final determination of Government may be in regard to the collection of these items when the general question of Moturpha falls under consideration. The Board agree with Mr. Elliot in thinking that the 6/4 Cawnies for every 100 Cawnies of cultivated land which the "Arasoo Cavelgars" formerly enjoyed in Arealore and Woodiarpolliem - but resumed when the Istimrar Villages were made over to them constitute a proper fund for meeting the Police charges under discussion.-

see statement 2 which accom=panied Letter from Collector dated 16th Nov. 1844- in Cons. 12th Dec. 1844-

151 The remarks of Mr. Elliot re=garding Heads of Villages do not call for further notice. The union of the Revenue and Police authority in one individual who is the Head of Village, is of much importance and the special attention of the Collector has

+ His Lordship in Council "looks "with Confidence "to the present "Collector who is "fully alive to "the error of the "former practice "to carry out "this necessary "reform with "the least "practicable "delay".- Minutes of Cons. 12th April 1844 Para. 6- and Cons. 29th April 1844.-

has been already called to this point.-

The second point requiring 10. consideration relates to the Military Abkary limits of Trichinopoly. The Police jurisdiction of the Commissariat Officer at Trichinopoly is limited to the contracted space known as the Military Bazar 238 yards long and 119 broad, whereas the Abkary limits extend to 4 Miles round the Town, including the Fort and its environs and the most populous part of the Island of Seringham, the whole containing a population of 62,000 persons. Much inconveni=ence is experienced from this extension of the Military Abkary limits and the Magistrate finds it impossible to repress intemperance. No less than 72 Shops for the sale of intoxicating liquors and drugs are allowed to be established within the Military Abkary limits, the number of Shops in 1842 was stated to be 30 Arrack and 15 Toddy Shops and that number was considered large. The present increased facility of=obtaining liquor is in marked contrast with the proposition contained in paras 21 and 22 - of Letter from the Adjutant General of the Army to Government dated 5th October 1840.-

Extract from a letter from the Honorable Court of Directors 2d March 1842.- Minutes of Cons. 17th May in Cons. 13th June 1842. Enclosure to Extract M. C. 20th September in Cons. 13th October 1842. Minutes of Cons. 9th Feby. in Cons. 4th March 1841 Minutes of Cons. March 7 to Gov. 20th May 1841 Nos. 8 Minutes of Cons. 20th September 1842- in Cons. 13th October.- Enclosure to orders of Gov. 6th in Cons. 19th April 1841.-

17. The question relative to the Military Abkary limits at Trichinopoly is discussed in the correspondence noted in the margin. It was recommended both by the Major General Commanding

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commanding the Southern Division of the Army and the Collector that the Abkarry of the whole Island of Seringham should be under the Collector - A

From Commissary General to Chief Secy 20th Jany 1841 - different view was taken by the Commissary General based chiefly on a consideration of the interests of the Military Abkarry Revenue, and it was finally determined by Government

Enclosure to Extract Minutes of Cons 20th September on Cons 13th October 1842 - (Minutes of Consultation 30th August 1842 Concluding part) that "if the Civil and Military Offices Concerned keep "the same object in view / the suppression of drunkenness "and immorality / and cooperate with each other for the "benefit of the public service" no inconvenience would be experienced from existing arrangements. Under this view the Fort and its environs with the main portion of the Island of Seringham containing altogether 82,000 persons continue as already stated under the Commissariat Officer.-

16. Adverting to the very large number of shops at present within the Military Abkarry limits and to the increased facility afforded thereby to drunkenness and immorality, as brought to notice by the Magistrate it is obvious that so far from the benefits of Cooperation having been realized, increased difficulties are experienced by the Magistracy - and this result I am directed to state is likely to continue as long as the Abkarry and Police in the populous Island of Seringham are under different Officers and the interests of the former are made paramount -

Referring

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19 Referring to the opinion expressed by the Major General Commanding the Southern Division noticed in a former para and to the impracticability as shewn by experience, of maintaining an efficient State of the Police under the present System the Board are of opinion that the manufacture and sale of Spirituous liquors in the Island of Seringham should be under the exclusive Control of the Collector of Trichinopoly who should be required to fix the number of Shops within that locality in communication with the Officer Commanding the Southern Division, and thus ensure the fulfilment of the intentions of Regulation VII of 1832 the remaining Abkarry within the Fort and its immediate neighbourhood will continue as at present under the Commissariat officer.-

20. In Extract Minutes of Consultation dated 12th April 1844 the Government were pleased to direct as a measure for the present that a grant of immemorial waste should be made to each Village Moonsiff who was not in the receipt of any remuneration His Lordship in Council was led to hope from the papers before him that the measure would be found sufficient without adding to the burdens of the state by an increased annual charge of which the efficacy was doubtful -

Village Moonsiffs Para 9 to 11 in Cons 29th April 1844:

On

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On this subject I am directed to state that the Board are in communication with the Collector with the view of ascertaining whether remuneration is really necessary in any case. As the Moondiff should also be a Head of the Village and as a remuneration is attached in most cases to the latter office and further as the Office of Moondiff is stated to be sought for less for its Emoluments than for the Authority and distinction it confers, the Board are of opinion that a Grant whether in land or money should be confined to special cases only.-

21. The last point on which the Board are required to report is the proposed appointment of two Cavilgars for the Village of Manigundoor. As the arrangements for the Police in general of the District of Trichinopoly would be incomplete without Village Cavilgars where required, the Board are of opinion that the request of the Collector should be complied with The annual expenditure for 2 Cavilgars at 2 Rupees each per Mensem will be Rupees 48.-

22. On the whole the abolition of the Cavelly System has been provided for by the proposed Compensation to the Men Cavilgars the appointment of Cavilgars as Village officers of Police on a regulated payment and by the resumption of Public Fees, Heads of Villages

Fort St. George 27th November 1845.

Villages will be required throughout the District to perform the duties of Moondiffs and if there are any Villages in which the Heads thereof have not a comple means of subsistence and the efficient discharge of the office demands that remuneration should be given, the Collector will be prepared to bring these to the notice of the Board to be laid before Government. The grant however as already observed should be confined to special cases only and remuneration should be given, the Board incline to think, by a money payment regulated

regulated by the Collections in the Villages

in each year and not in land for the

two fold reason, that Grants of land free

of assessment draw off Capital and stock

from assessed lands, and that

the land already held by Heads

of Villages in some cases as noticed by

Mr. Elliot, have not been brought under

Cultivation.-

Revenue Board Office.
Fort St. George.....
29th November 1845.....

/Signed/ T. Pycroft
Secretary

Proceedings.

4

Read the following Extract from a General Letter from the Honorable the Court of Directors dated 17th June 1845 No. 15 accompanied by an Extract from the Minutes of Consultation under date the 6th October 1845 No. 1165.

General Letter	Ext. Mr. of Cons:	
Para 3	Para 3	No Remark.
" 4	"	Ditto
" 5	"	Ordered that a Copy of Para 5 of the Honorable Courts Despatch be transmitted to the Principal Collector of Madura.
" 6	"	No Remark.
" 9	" 5	Ditto.
" 10	"	Ditto.
" 15	" 8.	Ordered that Extract of Para 15 of the Honorable Courts Despatch be transmitted to the Acting Collector of Singleput.-
" 17	" 10	No Remark.
" 18	"	Ditto.
" 21	" 12	Ditto.
" 22	"	Ditto.
" 23	"	Ditto.
" 25	" 14	Ordered that Copy of Para 25 of the Honorable Courts Despatch be transmitted to the Principal Collector of Coimbatore and Collector of Malabar respectively.-
" 26	"	Ordered that Copy of Para 26 of the Honorable Courts Despatch

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General Letter — Extract M. of Cons.

Despatch and of Para 14 of — Extract Minutes of Consultation be furnished to the Department of Public Works to enable them to submit the information required — by Government as to when the survey of the Neilgherry Hills is likely to be completed —

Para 28 — Para 16.

" 29. — "

" 31 — 18

" 32 — "

" 33 — 19

" 34 — "

No Remark

Ditto

Ditto

Ditto

A further report on the Veesa — = buddy and Moturpha taxes is under preparation —

No Remark —

From the Chief Secy. to Government

5

Read the following Extract —

Extract from the Minutes of Consultation under date the 18th November, 1845 —

Read again the following Papers — entered in Diary to Consultation 11th November 1845 —

Extract from the Proceedings of the Board of Revenue dated 14th July 1845 — No. 444.

Letter from the Secretary to the — Board of Revenue dated 30th October 1845 No. 666 —

Para 1.

The Most Noble the Governor in Council resolves to request the Board of Revenue to submit the Minute of the First Member, upon the Board's proposal to transfer the Madura Sub

Fort St. George 27th November 1845

Sub Collectorship to Rajahmundry —

2. His Lordship in Council would also desire to have before him the opinion of the — Principal Collector of Madura on the measure — and a report on the practicability of dispensing — with the whole or a portion of the Sub Collector's Establishment should that Office be withdrawn —

3. The Board will be pleased to submit at the same time a Statement of the Establishment entertained in Madura prior to the appointment of a Sub Collector and of the present Establishment —

4. His Lordship in Council takes this opportunity to desire that the requisite — Establishment for the Sub Collector of Rajah = = mundry may be laid before the Government for their consideration on an early date —

(A true Extract.)

(Signed) J. F. Thomas.
Chief Secretary —

To,
The President and Members
of the
Board of Revenue —

Ordered that the following letters be sent in consequence —

6

To the Prin.l Coll.r of Madura — Requesting him to state whether he thinks

To,
The Principal Collector of
Madura.

Sir,

I am directed by the Board of Revenue to inform you that it has been proposed to discontinue the appointment

of

thinks the Office of Sub Collector and Joint Magistrate in his District can be dis=continued.

of Sub Collector and Joint Magistrate in your District, with a view to compensate wholly or in part for the expense incurred by the recent creation of an Office of that class in the District of Rajahmundry - I am therefore desired to call upon you for communication to Government for your sentiments upon the measure and to request that you will state whether in your opinion adverting to the size of your District, the landed tenure obtaining in it and other local circumstances, the Office of Sub Collector and Joint Magis=trate might be discontinued, and the business of the District be carried on without embarrass=ment or inconvenience by the Collector and asistants.—

You will also be pleased to state, whether in the event of the Sub Collectorate being abo=lished the whole of the establishment attached to it might also be withdrawn - and if not what portion of it - and will at the same time submit a Statement shewing the establishment enter=tained in Madura prior to the appointment of a Sub Collector and the present establishment.—

Revenue Board Office,
Fort St. George,
27th November, 1845.

(Signed) J. Pycroft
Secretary

To,

To
The Collector of
Rajahmundry.

Sir,

To the Collector
in the Zillah of
Rajahmundry.

5-7

I am directed by the Board of Revenue to request that you will at an early date furnish them, for submission to Govern=ment, with a Statement of the establish=ment which will be required for the Office of the Sub Collector and Joint Ma=gistrate recently attached to your District, stating what portion of it can be supplied from your own Cutcherry, and what appoint=ments, if any, must be newly made, with the rate of Salary to be annexed to them - you will also be so good as to state what Talook you propose to place under charge of the Sub Collector, what will be his Hoozoor station, whe=ther there be at present sufficient accommodation at that place for his Native establishments, and if not what further accommodation should be provided.—

Revenue Board Office,
Fort St. George
27th November, 1845.

(Signed) J. Pycroft
Secretary

Read

16373. Fort St. George 27th November, 1845.

Read the following Resolution.

From the Secy. to Government

Extract from the Minutes of Consultation dated 24th November, 1845.

(From Board 6th November)

(8)

Ordered that the Agent in Kurnool be authorized to disburse the arrears of Ayenniah due to Nursa Unnal Amounting to Rupees 16-8-, Six, and Annas Eight.-

(Signed) E: P: Thompson
Secy. to Government

Order thereon- Ordered to be communicated

(8-9) for the information and guidance of the Governor's Agent in Kurnool, with reference to his letter dated 14th October last.-

From the Secy. to Government- Read letter transmitting Printed Copy and translations of the

(10) Acts of the Supreme Government.-

Order thereon- Ordered that the printed

(10-11) Acts accompanying the abovementioned letter be lodged in the Office.-

Read

16374. Fort St. George 27th November 1845.

Read the following letter

To J. Pycroft Esqre
Secretary to the
Board of Revenue
Fort St. George.

(12)

Sir,

From the Asst. Collr. of Ganjam - - - - - } 1. The Moottah of Codoor having been purchased on account of Government under date the 30th December 1846, I have the honor to request you will do me the favor to obtain authority for curtailing off the Balance Rupees 1756-10-2 to Profit and Loss under the Circumstances noted in the Correspondence entered in the Margin.

* Balances due by the late proprietor Canaty Narasinga Row-		
For fasly 1253	1094-10-8	
" " 1250	42-3-1	
		1136-13-9
Balance due by the former proprietor Gudiala Ra- =mudu Sastry For Fasly 1246	619-12-5	
	Total	1756-10-2

* Letter to the Secretary to the Board of Revenue 11th September 1844.
From Do. 14th October " "
To Do. 1st January 1845
From Do. 15th May " "
To Do. 23d June " "
From Do. 25th July " "

2. The Circumstances of the last owner do not require to be noticed. The previous proprietor Gudiala Sastry against whom a Balance of Rupees 619-12-5 stands in my Accounts, is dead and has no property.

Ganjam District - - -
Collector's Cutcherry - - -
Chutterpore 28th October 1845 } (Signed) P. B. Smollett
Asst. Collr.

Ordered

10375

12-13

Fort St. George 27th November 1845

Order thereon. Ordered to be sent again in Circulation.

(Read again on 1st Dec.)

Read the following Letter.

To J. Pycroft Esqre.
Secretary to the
Board of Revenue
Fort St. George.

Sir,

14

I have the honor to forward an Extract from the Proceedings of the Subordinate Court of Rajahmundry dated 25th October 1845 whereby it will be seen that my request to be admitted as Defendant in the Suits of the late Proprietors of the Cauza and Mogoollah Estates, against the ryots of those Villages has been absolutely rejected. It is obvious that the Government is interested in these Suits against the ryots, and that the enforcement of the claims of the late Proprietors of Cauza and Mogoolah will affect the revenue very nearly, if not fully, to the esctent to which they may be called upon to disburse to them. The ryots trusting that they would be sheltered by the Government have not defended their cause. If an escparte Decree be given in favor of the Proprietors, the interests of Government are liable to be seriously

From the Collr. of Rajahmundry

Forwarding an Extract from the Proceedings of the Subordinate Court's Proceedings wherein the Collr. is not admitted to be a Defendant in the Suits of the late Proprietors of the Cauza and Mogoollah Estates, and stating that that the subject will be brought to the immediate attention of Government.

x vide Board's Letter Dated 5th Dec. 1845 No. 1.
Coll. No. 1.

10376

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seriously compromised for many other Suits will be immediately filed by other Proprietors whose Estates have been sold under similar circumstances. The Sub Court having fixed on 11th December 1845 as the day for passing their Decrees, I trust that the subject will be brought to the immediate attention of Government.

vide accompanying Coby No. 2.

Rajahmundry District.
Samulcotah - - - -
17th November 1845

(Signed) T. Pendergast
Collector.

No. 1

Extract from the Proceedings of the Subordinate Court of Rajahmundry Dated 25th October 1845.

C.P.S. No. 1005 of 1845

There will be a considerable difficulty in including the Collector as Defendant in the Suit against one Defaulting ryot only, because the cause of action against the Collector would be his act acquitting the whole of the ryots of the Estate, from their debts to the Plaintiff: indeed upon more mature consideration, I doubt if he should be admitted as Defendant - as it is evident that the Collector's absolution, if illegal is no bar whatever to recovery by an Ex-proprietor against his defaulting ryots. If the act be an act of Government, I think the Court is bound to respect it whatever opinion the

the Judge may have as to the equity of the act and gave the Plaintiff the option of including the Collector as Defendant if he chose, as the Collector seemed anxious to take upon himself the liability, but I did not give the Collector the option of being included as Defendant in the suit.

The sum of my former Proceedings was included in the passage the Collector is required to produce the authority on which he assumed and remitted to the Ryots the balances due to the Descriptor that the Sub Judge may decide whether the suit lies against the ryots or whether they are absolved by an act of Government."

If the acquittance rests on the absolution of the Collector unauthorized by the Supreme authority it amounts to no more than an empty word. If the Government, as administered by the Board of Revenue, or Governor in Council have given the acquittance, I think application should be made to Government before the suit proceeds. The gift implies the previous acquisition of the thing given, Government in its power might have assumed to itself debts due to the Plaintiffs, and have granted them to whom it would. The legality

legality of such an assumption the Court could not interfere with, and is bound to recognize, but an unauthorised summary and arbitrary act by a Collector will not confer a right. I have allowed the Collector every opportunity to guard the Ryots interests in the conduct of the suit, and to establish the validity of his act, but I cannot compel the Plaintiffs to include him as Defendant in the suit Rejected.

(Signed) Jn. Rohde
Subordinate Judge

No. 2

The very day the Collector gave his petition to be admitted supplemental Defendant I refused the application, the question is simply whether or not the Government did of its authority assume the old balances, and remit them to the ryots, or in other words, whether the Collector's remission of old balances was an act of Government the Court is bound to respect or not, all that is wanted is the production of the authority under which the Collector acted the Sub Judge allowed one month on the 11th October and expressly stated he would not consider himself warranted in delaying the disposal of the suits any

longer

Fort St. George 27th November 1845

longer - As the 22d July the Sub Judge first re:
quired the production of the authority - The Sub
Judge does not consider that good cause for re:
quiring two months further delay is shown; if
one months was sufficient a months ago it is
more than sufficient now -

The 11th of December is fixed for the dis:
posal of these Suits -

11th November

(Signed) J. Stokes
Sub Judge

Ordered that the following letter
be sent in reply.

To The Collector of
Rajahmundry

Sir

To the Collr of
Rajahmundry

14-15

I am directed by the Board of
Revenue to acknowledge the receipt of your letter
of the 17th Instant with its enclosure, from which
they learn that the Subordinate Court has declined
to allow you to be included as Defendant in the
Suits brought by the Exproprietors of the Cauza
and Mogollah Estates against their late Ryots.

2 In reply the Board direct me to re:
quest that you will make immediate application
to the Civil Court of Rajahmundry and subsequent:
:ly if necessary to the Court of Sudr Adawlut
moving them to over rule the order of the lower
Court

Fort St. George 27th November 1845

Court and to direct that you may be included
as Defendant in the Suits above referred to,
and that a reasonable time may be given you
for the preparation of your defence - You will be
pleased to acquaint the Board with the result
of the application and should it be successful will
forward for their approval draft of the answer
which you would propose to file in the Suits - If
your motion be rejected the Board apprehend that
no further steps can for the present be taken
and the Suits must be left to take their course
but you will be careful to give early intimation
of the decisions which may be passed by the
Subordinate Court, forwarding Copies of the
decrees if you can obtain them, and advising
the Board of the measure which should in
your opinion be adopted -

Revenue Board Office
Fort St. George - -
27th November 1845 - -

(Signed) T. Pycroft
Secry

Read the following letter

To T. Pycroft Esqre
Secretary to the
Board of Revenue
Fort St. George

16

From the Collr of
Rajahmundry

Sir

With reference to the Precept
from the Civil Court at Rajahmundry dated
the 28th Ultimo and the Extracts from ... the

Fort St. George 27th November 1845.

+ No. 182.

the Proceedings of that Court and of the Sudr Udalut therein alluded to, of which Copies are herewith enclosed, I have the honor to submit for the approval of the Board of Revenue an advertisement for the sale of the Village of Vellah (which was made over to the Management of Cauzy Meer Shumsheddeen as directed in the Board's letter of 2d March 1843) in satisfaction of the Amount of Rupees 7777-9-11 as due to the above Cauzy Meer Shumsheddeen Plaintiff in the Suit No. 715 of 1830 as directed by the Court and for the recovery of certain arrears of Revenue due to Government, now outstanding against it. and to request the Sanction of the Board for putting up the said Estate to Public auction on such a date as may be deemed expedient.

No. 3.

Vide correspondence
To 13th 21st Feby 1843
From Dr 2d March 1843.

Rajahmundry District
Samulcottah - - - - -
21st November 1845 - -

(Signed) T. Prendergast
Collr.

No. 1

Extract from the Proceedings of the Civil Court of Rajahmundry Dated the 28th October 1845.

Read again Petition No. 239 of 1845 presented by Ramyanarapoo Ramanah Pleader for Cazee Meershamsoodeen Sahib, Plaintiff in Suit No. 715 of 1830 late Zillah Court's file, praying the Court to perruse the whole of the Summary Record, and pass orders to get the Village of Vella sold or Zuftied by the Collector under his judgment debt.

Read also Extract from the Proceedings of the Sudr Udalut Dated the 20th Octr.

Fort St. George 27th November 1845.

October instant, stating that it is in the opinion of the Court fair latter to sell the Estate (which should have been done at first) apportioning the proceeds as justice requires.

Resolved that a Copy of the Sudr Courts' Proceedings dated 20th instant be sent to the Collector of Rajahmundry with an extract from these Proceedings and that he be requested to sell the Village of Vella, belonging to Cazee Moulanee Muhammud Abdool Rajakh Sahib, in satisfaction of the Decree of the late Zillah Court in the above Suit for the Amount of Rupees 7777-9-11 as per accompanying List produced by the Plaintiffs Pleader Ramyanarapoo Ramanah, and to remit to this Court the Proceeds of such sale.

Ordered that Extract from these Proceedings be forwarded to the Collector of Rajahmundry by Precept requiring conformity thereto, and returnable within 6 weeks from and after its receipt.

(True Extract)
(Signed) T. A. Anstruther
Civil Judge.

No. 2

Extract from the Proceedings of the Sudr Udalut under date the 20th October 1845.

Read Miscellaneous Petition presented on the 18th August last, by T. Appiah Vakeel on behalf of Cauzee Moulanee Muhammud Abdool Rajakh Sahib 6th Defendant in original Suit No. 715 of 1830 on the file of the late Zillah Court of Masulipatam.

Read also Counter Petition presented on the 15th Ultimo by Goolam Rajah, Vakeel on behalf of Cauzee Meershamsoodeen Sahib, Plaintiff in the aforesaid Suit.

The Petitioner complains

1.

Fort St. George 27th November 1845

of an order passed by the Civil Judge of Rajahmundry on the 7th July last, which reversed the Proceedings of the Subordinate Judge at that Station, dated 14th March 1845 declaring that the Village Vellah, belonging to the Petitioner should be sold, on application from the Plaintiff, in execution of a Decree passed in the latter's favor in the abovementioned Suit.

2 The Petitioner asserts that the Village Vella in question was given on lease to the Plaintiff (Counter Petitioner) before the Sudr Adalut at his own request on an annual rent of ₹4200 Rupees on Condition that he would from that amount discharge the yearly Peishcush ₹1100 Rupees and after paying a one fourth of the residue to the Petitioner for his private expenses, Credit the remaining three fourths to his judgment debt until it should be liquidated that this arrangement was sanctioned by the late Zillah Court of Masulipatam in its proceedings dated 16th January 1843 and that Consequently the Civil Judge's Order adverted to is opposed to the engagement entered into between the Parties in the manner described.

3 He prays therefore that the Civil Judge's proceedings may be overruled, and the Plaintiff directed to Conform to the terms of the engagement entered into by him.

4. The Counter Petitioner opposes the above prayer for reasons which are stated at length in his address.

5 The Court having carefully considered these Petitions together with the documents which accompanying see no reason for disturbing the decision of the Civil Judge as recorded in his extract of Proceedings dated 7th July last.

6 It might have been foreseen and easily so, that the arrangement entered into

Fort St. George 27th November 1845

into between the Petitioner and the Plaintiff ratified by the lower Court on the 16th of January 1843, would never answer, and events shew that the mutual jealousy and dispensions of the Parties render it impossible to act upon such arrangement.

It is in the opinion of the Court, far better to sell the Estate (which should have been done at first) apportioning the Proceeds as justice requires.

Ordered accordingly that the Petition No. 352 of 1845 be dismissed, and the extract from these Proceedings be forwarded to the Civil Judge of Rajahmundry for his information.

Ordered also that Extract from these Proceedings be granted to the Vakeels of both Parties on their applications.

(True Extract)
(Signed) A. D. Phillips
Register

To the Civil Judge
of Rajahmundry

(True Copy)
(Signed) T. A. Anstruther
Civil Judge

(True Copies)
T. Prendergast.
Collr

To Lords Commissioners of Her Majesty's Treasury.

My Lords,

I have the honor to transmit herewith the Estimate of the Expenses of the Office of the Board of Control for the Year 1845, and to request that your Lordships will be pleased to cause the Amount thereof to be issued to me.

The Increase of the Estimate this Year is occasioned by the Addition of a Clerk to the Office, at a Salary of £200 per Annum, and by the Increase of the Salary of the Secretary from £1000 to £1200 per Annum, which Increase has been sanctioned by Her Majesty's Government.

I have the honor to be,

My Lords,

Your Lordships' most obedient humble Servant,

Fitzroy Kelly

Secretary to the Board of Control.

Whitehall, 21st January 1845.

16386 Fort St. George 27th November 1845.

Resolution thereon. The Board authorize the publication in their Office of the Advertisement which accompanies the foregoing letter Thursday the 8th January 1846 being fixed for the day of sale. The Collector will be pleased to make a corresponding alteration in the Advertisement published in his Office.

(16-17)

Read again letter from the Head Assistant Collector in charge of Guntoor Dated 20th Ultimo and entered in Con.s 25th Instant.

Proceedings 1st Aug.t 29th Aug.t 1838. (18)

Moyenzabitah Rs. 278-279.

Resolution thereon. The Head Assistant in charge will observe from 3rd Collector Goldingham's letter of 10th November 1838 and from the subsequent correspondence on the subject of the proposed Moyenzabitah for Fusly 1248 that the establishment of Peons referred to in his letter was first entertained on account of the Prisoners transferred from the Zillah Jail to the charge of the Collector. The proposed monthly salary for that establishment / Rs. 72 / was entered in the Moyenzabitah for 1248 as a new charge but that Moyenzabitah was never sanctioned, and it was ordered that the expences for guarding the convicts should be submitted annually in a Contingent Bill through the Department of Public Works. The Peons alluded to do not appear to have at any time formed a part of the fixed Police establishment of the District. The Prisoners having now been returned to the Zillah Jail the establishment Rests on foot for their Custody which of Course be considered as having been discontinued from the date of the return.

Read

16387 Fort St. George 27th November 1845.

Read the following Letter.

To J. Bycroft Esqre
Secretary to the
Board of Revenue
Fort St. George.

Sir,

From the Collector of Bellary. (19)

With reference to the Extract from the Proceedings of the Board of Revenue under date the 13th Ultimo, directing the removal from Office of Soda Row Tahsildar of Codecondal Talook of this District, I have the honor to acquaint you for the information of the Board, that the Petition of that Individual bearing the Endorsement of the Board, therewith returned has been delivered to him.

2. Since the date of his suspension from the situation of Tahsildar of Codecondal Viz.t the 24th July 1844 his Pay was not charged in the Public accounts but business was transacted under the arrangement made by the late Sub Collector Mr. Pelly of which a Statement is enclosed, the Servants promoted Continuing to the end of last Month to receive the Salaries attached to their former Office, they were Confirmed in their acting appointments on the 1st Instant. The Statement in question will shew what they would be entitled to, for the period they acted, the Sum which they have already received, as well as the balance due to them, the latter amounts to Rupees 1155 - 1 - 1 regarding the disbursement of which I request the orders of the Board. In the event of Sanction being granted the Servants enumerated in the Statement will receive their dues by now charging to Government the undrawn full Pay of the Tahsildars Situation, and dividing the same among them.

Rs. 1296. 15 - ..
" 1155 - 1 - ..
Difference 141-13-11.
to be carried to the Credit of Government.

Bellary Collector's Office
10th November 1845.

/ Signed / R. Mellor
Collector.

Statement

16,388.

Fort. St. George

27th November 1845.

Statement Shewing the arrangements made by Consequent on the Suspension of Sooba Row from the amount of Salaries due to them under such arrangements.

No. 1.

Mr. Kelly the late Sub Collector of Bellary — Situation of Tahsildar of Codecondah Talook and the

Number.	Names of Servants.	Their former Situation.	Situations to which they were temporarily appointed by the Sub Collector.	Salaries to which they would be entitled for having acted temporarily. From. Year.	Month.	Date.	To. Year.	Month.	Date.	Period of Service. Year.	Month.	Days.	Salary attached to the Situations in which they were appointed to act.	Total amount of Salary.	Rate of Pay per Mensem.	Total Salary.	Deduct Salaries of their permanent appointments which they have already drawn. Balance due to them.	Remarks.
1	2		3	4			5						6	7	8	9	10	11	12.
											M.	D	Rupees a P	Rs. a P	Rupees a P	Rupees a P	Rupees a P	
1	Salary Sashagery in the Sub Row —	Head Goomastah in the Sub Coll.r Office.	As acting Tahsildar of Codecondah.	1844	July	24th	1845	October	31st	1	3	8	85	" "	1296 15	" 30	" " 457 11 10	839 3 2	
2	Pengondah Goomastah in the Sub Collectors Office	Goomastah in the Sub Collectors Office	As Acting Head Goomastah in the Sub Collectors Office	1844	Oct.r	28th	1845	Do.	31st	1	"	4	30	" "	363 13 11	21	" " 254 11 4	109 2 7	
3	Comply Ragoonatha Row —	Do.	As Acting Goomastah	1844	Do.	28th	1845	Do.	31st	1	"	4	21	" "	254 11 4	17 8	" 212 4 1	42 7 3	
4	Sama Rao	Extra Goomastah for preparing Summahlundy accounts in the Hoozoor	Ditto	1844	Do.	28th	1845	Do.	31st	1	"	4	17 8	"	212 4 1	8	" " 48	" " 164 4	This Person has received Pay for 6 Months as Hungama Goomastah.
															2127 12 4		972 11 3	1155 1 1	

Bellary Collector's Office 10th November 1845. E. E. J.r /signed/ A. Meller Collector

Ordered

ORIGINAL DESTROYED

16389 Fort St. George 27th November 1845.

Order thereon.

Ordered to be sent again in circulation.

/Read again in Cons. 10th Dec. 19-20

Read again letter from the Commissioner of Kurnool dated 17th Ultimo and Entered in Consultation 3rd Instant.

Ordered that the following letter be sent in reply.

To.

The Commissioner in Kurnool

To the Commissioner of Kurnool --- Requesting him to furnish further explanation on the subject of the balances due by the Abkary Renter of four Talooks in his District.

Sir,

Para 1. I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 17th Ultimo forwarding Statement of the balances due by the Abkary Renter of four Talooks in your District for the Current Fusly and requesting instructions whether the rent should be annulled or allowed to run on. and in the former case whether the farm should be kept under amany or be again offered for competition Security having been given for the whole amount of the rent, you submit it as your opinion that the present rent should stand.

2. Before passing any orders upon your application the Board would wish to be made acquainted with the causes which would appear to have produced so large an arrear, amounting it is observed to 46 per Cent upon the Kists.- They also desire to be informed whether any deposit in Cash or valuables was made at the time, that the renter took charge of his Farm for the present Fusly. who are his securities and how far they may be depended upon:- It seems from Para 2 of your letter that one of the securities is the renters father, It should be explained whether father and son have divided their property, whether the former be a man of substance, and under what circumstances his surety on his sons behalf was excepted. You will be so good also as to state whether Buswagondah met his Kists for the preceding Fusly with punctuality. whether he is in arrears for his Bellary rent, and give such further explanation of the grounds on which you have recommended the continuance of the rent as may enable the Board to form a judgement in regard to the proper course to pursued. you will also be so good as to explain whether in the event of its being found necessary to cancel the rent, it would in your opinion be most advantageous to put it again up to duction or to keep the Farm under amany.

3. The Board further request that you will inform them what are the terms of the renters Muchilka in regard to the penalties incurred by default, and that you will state the amount of the balance which may be outstanding against him at the dispatch of your answer to this letter.

Revenue Board's Office
Fort St. George 27th Nov. 1845.

/Signed/ T. Pycroft
Secretary.

Read the following Statement

16390 Fort St. George 27th November 1845.

16392 Fort St. George 27th November 1845.

Ordered to be sent for publication

Order thereon.

(22-23) in the Fort St. George Gazette.

Read the following letter.

To, F. Pycroft Esqre

Secretary to the

Board of Revenue

Fort St. George.

From the Asst. Coll. in the Nth Divn of Arcot. (24)

Sir,

I have the honor to submit the accompanying Extract from Retrenchments made by the Civil Auditor for Fasly 1253 with explanation A.D. 1843/44.

and request you will procure the special Sanction of Government for the adjustment of the several charges.

North Arcot Collr Cutcherry Chittoor 29th September 1845.

/Signed/ E. C. Lovett

Acting Collector

Extract.

16391 (22) Fort St. George 24th November 1845.

Statement exhibiting the quantity of Salt manufactured for exportation to Calcutta on private trade at each of the several Agencies of the Collectorate of North Arcot for the year 1845/46 exported.

No.	Agencies	Quantity of Salt manufactured for exportation in the year 1845/46 exported.	Quantity actually shipped.	Quantity remaining to be exported.
		S. Mds.	S. Mds.	S. Mds.
1	Tirumalapuram	42,111	-------	42,111
2	Edapalaly	38,338	-------	38,338
3	Pazavelapally	106,667	-------	106,667
4	Vareny	69,412	-------	69,412
5	Krishnapatam	57,472	-------	57,472
		314,000	314,000	-------

Collr's Cutchery 22d November 1845.

/Signed/ J. F. Bishop

Collector

Ordered

16393

Fort St. George

27th November 1845.

No. 1.

Extract from the Retrenchments made from the accounts of the Collector of the Northern Division of Arcot from 12th July 1843 to 11th July 1844 on account of Expences for Fusly 1253.

No.	Charges Objected to.	Remarks of the Civil Auditor.	Explanation of the Collector.	Remarks of the Board of Revenue.	Orders of Government.
3	Village Sibbendy in the North Arcot Talook 1,978-10-5. Ditto in Cuppondy 83-9-2 ₱ 2,062 3 7	Rupees a/p No. 3. Struck out for want of the Special Sanction of Government.	No. 3. A Statement shewing the amount of the allowance paid to each description of Village Sibbendies as usual in Fusly 1253 is herewith sent. A similar Charge for Fusly 1252 for Rupees 1994-4-11 was sanctioned under date 30th March 1844 Conveyed in Board's letter dated 18th april 1844. The increase arises from the increased Beriz of Fusly 1253.	No. 3. Recommended for Sanction under the explanation of the Acting Collector and with reference to the accompanying account particulars No. 2.	
6	Refunds of Land Revenue. Paid to Bhirage Savah Dos Mahant at Perputty who has the Management of the Pagoda being the Net Collection of Perputty Offerings for Fusly 1252.	51050 6 6	No. 6. This sum was disbursed to the individual who has the Management of the Perputty Pagoda under the authority Conveyed in Bd's letter dated 4th May 1843.	From Jt. Coll'r 1st in Cons 4th May 1843. To Do. 4th Do.	No. 6. Recommended for Sanction with reference to the Order of Government dated 21st april 1843 and the accompanying Correspondence with the late Acting Collector.
25	Paid to Mahomed Sebuck: toollah Khan Son of the late Enamdar and Cauzee of Arcot Talook from 24th April 1843 to 30th June 1844 at 89-9-10 per Mensem ———	1275 8 3	No. 25. This Sum was disbursed as per Extract from the Proceedings of the Board of Revenue dated 13th July 1843.	From Coll'r 4th in Cons 13th July 1843. To Do. 15th Do.	No. 25. The Board recommend that Sanction be granted for the Sum of Rupees 1275-8-3. paid to Mahomed Sebuck Ktoolah from 24th April 1843 to 30th June 1844 @ Rupees 89-9-10. per Mensem, and for the continuance of the allowance at the same rate from July 1844, with reference to the accompanying Correspondence.

16393

Fort St. George

27th November 1845.

No.	Charges Objected to.	Remarks of the Civil Auditor.	Explanation of the Collector.	Remarks of the Board of Revenue.	Orders of Government.
		Rupees a P			
27	Allowances to Poligars. Paid to Ragunmah Widow of the late Chennamah Naik Poligar of Mogral Pollem as per Sanction of Government dated 7th February 1820 in Fusly 1252 ... 3229-5-- Do Do Fusly 1253 3229-5--		27 The allowance of Ranguminah Widow is paid at 2/3rds of the amount Rs. 403-9-5 which was Enjoyed by her deceased Husband Rs. 269-1-9 as per Sanction of Government under date 7th February 1820. Conveyed in Letter from the Board of Revenue dated 17th of that Month and the same has been continued to her from July 1821.	No. 27. Under the explanation of the Acting Collector the Board recommend that Sanction may be granted for the continuance of the allowance of Rs. 269-1-9 per Mensem to Ragunmah Widow of the late Poligar of Mogral, and for the amount paid to her in Fuslies 1252 and 1253 (1842/43 and 1843/44) amounting to Rupees 6458-10--	
	6458 10 --				
29	Paid to Canilgars of Maur. maudoor, Kistnapoor, Kar. kumbadee, Edovar Mettoo in Tirpatty Talooks as per account particular No. 21 in Fusly 1252 ..... 3183-6-- Ditto Ditto No. 22 in Fusly 1253 .. 3153-5-7	No. 29 & 30. From the Establishment of the Special Commissioner	29 & 30. The charges under these heads were disbursed according to the Sanction of Government on the Mooraba Cittah for Fusly 1228 under date the 23d April 1819 received in Letter from the Board of Revenue of 6th May of that year. The Civil auditor being also authorized to admit the Charges under the authority of Government under date the 24th November 1818. Conveyed in Letter from the Board of Revenue dated 8th February 1819.	No. 29. The actual disbursement under this head Rupees 6336-11-7. is recommended for Sanction under the explanation of the Acting Collector and with reference to the accompanying account particulars No. 21.	
	6336 11 7				
30	Paid to Canilgars of Virullum Vca. 4 Talooks as per account particular No. 22 in Fusly 1252 _____ 336-- -- Paid to Ditto in No. 23 in Fusly 1253 ... 271-9--			No. 30. Recommended for Sanction Rs. 607-9-11. The Board also recommend that Sanction be granted for the continuance of the allowances during the respective lives of the Canilgars whose names are entered in the accompanying account particulars No. 22.	
	607 9 11				

Fort St. George

27th November 1815.

No.	Charges Objected to.	Remarks of the Civil Auditor	Explanation of the Collector	Remarks of the Board of Revenue	Orders of Government.
	Rupees a p				
	Pagoda and Marque allowances in lieu of Resumed Lands and privileges.-				
31	Paid for District Tasdeek Doostaums Radeetaram Expences including Teeroo, pagoodee and Iyankoolum Cotcharum at Canjeevarum in Fusly 1252 Rs. a p Rs. 47558. 9-8				
	Ditto Ditto in Fusly 1253 - - - - 24492-13-7				
	72051 7 3	No. 31 to 33. The Collector is requested to adopt early measures to obtain the Sanction of Government for	31 to 33 } Vide Explanation on Nos. 29 & 30.	Nos. 31 and 32. Further explanation has been called for regarding these charges, which will be submitted to Government as soon as received.-	
32	Ditto Ditto in Congoondy in Fusly 1252 - - - - 1803-5-7				
	Ditto in Fusly 1253 ——— 878-8-11				
	——— 2,681 13 7				
33	Paid for Charity Chuttrum at Sholinger for Fusly Rs. a p 1252 Rupees - - - - 1236-15-4				
	Ditto Ditto for Fusly 1253 - - - - - 1205-13-5.				
	——— 2442 12 9			No. 33- This Charge is provided for in the Moyenzabitah for Fusly 1228 (1818/19) which received the Sanction of Government under date 23d April 1819. The actual disbursement for Fusles 1252 (1842/43) and 1253 (1843/44) - Rupees 2,442-12-9- and the continuance of the allowance of Rupees 1280-9-5- per Annum, are recommended for Sanction-	

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Fort St. George

No.	Charges Objected to.	Remarks of the Civil Auditor.
	Rupees A P	
38	Paid for Viaspoojah Ceremony for Fusly 1252 ——— 306 — — — Ditto — Ditto for Fusly 1253 — 306 — — — ——— 612 — —	No. 38 & 39. The renewal of the Sanction of Government is necessary for the continuance of the allowances according to the Annual Statement of Charges.
39	Paid for Rumzan & Bucreed feasts for Fuslies 1251 & 52. Rupees ——— 70 — — — Do. — Do. for Fusly 1253 — 56 — — — ——— 126 — —	
40.	Paid for Lungurkhanah Expences at Arcot and Vellore in Fusly 1252 Rupees ——— 7,126 — 1 — 7. Ditto for Lungurkhanah Expences at Arcot in Fusly 1253 — 1,894 — 9 — 5. Ditto at Vellore in Fusly 1253 — 5,613 — 13 — 4. ——— 7,508 — 6 — 9. ——— 14,634 8 4	No. 40. For the continuance of these allowances the special sanction of Government should be obtained — a Detailed account for each fusly shewing the names of the parties, the amount authorized and the amount actually disbursed on each account should be submitted.

27th November 1845.

Explanation of the Collector	Remarks of the Board of Revenue.	Orders of Government
38 and 39. The Charges under these heads were disbursed as per Moyenzabitah for Fusly 1228. Sanctioned by Government under date the 23d April 1819 and as per Extract from the Proceedings of the Board of Revenue dated 13th April 1837.	Nos 38 and 39 - The Charges under these heads for Fuslies 1252/1847/48 and 1253/1843/44 amounting in the aggregate to Rupees 738 — are recommended for Sanction under the explanation of the Acting Collector and with reference to the accompanying correspondence. The Board also recommend that the Collector may be authorized to continue the future payment of these allowances Viz. for the Viaspoojah Rupees 308 — 10 — — per Annum and for the Ramzan and Buckreed Rupees 80 — — — per Do. — From Dy Coll. 3d in Cons: 13th April 1837. Board's Proceedings 13th Do. — — —	
40. Vide Explanation Nos 29 & 30 —	No. 40. Recommended for Sanction Rupees 14,634 — 8 — 4 under the explanation of the Acting Collector and with reference to the Extract from the Minutes of Consultation dated 29th November 1836 No. 1628 - The Board also recommend that Sanction may be granted for the continuance of the allowances under this head amounting to Rupees 9,641 — 15 — — per Annum as entered in the Moyenzabitah for Fusly 1228/1818/19 Sanctioned by Government under date 23d April 1819. — Lungkurkhanah at Rs a p: Vellore 7,331 — 15 — — Ditto at Arcot — 2,310 — — — 9,641 — 15 — —	

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1

Fort St. George

No.	Charges Objected to.	Rs	A	P.	Remarks of the Civil Auditor.
41.	Paid for Chadergoal or flowers to adorn the Tomb of Santoollah Khan at Arcot for Fusly	Rs	A	P	No. 41. The Acting Collector should adopt early measures to obtain the sanction of Government to continue the allowance under Retrenchment.
	1252 ——— 45	"	"	"	
	Ditto Ditto in				
	Fusly 1253 ——— 45	"	"	"	
		90	"	"	

Fort St. George,
Civil Auditor's
Office, - - - -
8th August, 1845.

(Signed) J. C. Morris.
Civil Auditor.

(True Extract)
(Signed) E. C. Lovell.
Acting Collector.

27th November 1845.

Explanation of the Collector	Remarks of the Board of Revenue	Orders of Government
41. Vide explanations Nos. 29. & 30.	No. 41. Recommended for Sanction Rupees 90 — — — and the continuances of the allowance at 45 — Rupees per Annum, as entered in the Mozeen Jabitah above referred to.	Vide Extracts Minutes of Consultation dated the 24th Jany. 1846 No. 102.

/ Signed / E. P. Thompson
Secy. to
Govt.

Rev. Board Office,
Fort St. George.
27th November, 1845.

By order

/ Signed / T. Pycroft.
Secretary.

Statement

16394 Fort St. George 27th November 1845.

Order thereon-

25

Ordered that the necessary remarks of the Board be inserted in the proper Column of the Statement accompanying the above mentioned letter and submitted for the sanction of Government-

Ordered also that the following letter be sent in consequence-

To The Acting Collector in the Northern Division of Arcot-

24-26.

Sir,

To the Actg Collr in the Nn Divn of Arcot

Requesting him to furnish further information regarding the Pagoda Lumbe= =rums on account of Pa= =goda & Mosque allowances for Fusly 1252 & 1253 retrenched by the Civil Auditor-

1. With reference to your letter of the 29th September last transmitting a Statement of charges incurred in Fusly 1252 and 1253 retrenched by the Civil Auditor, I am directed by the Board of Revenue to inform you that they have recommended for sanction the items noted in the Margin, and that the orders of Government will be communicated to you as soon as received, but they require further information regarding the disbursements on account of Pagoda and Mosque allowances- You will therefore be pleased to furnish a State= =ment in the accompanying Form, shewing the sanctioned amount payable to each Institution and the amount actually paid in Fusly 1252 and 1253 explaining the cause of the difference, if any, between the two sums- The Board require this detailed Statement to enable them to compare the allowances now payable with those entered

× 1 2 3 6 25 27 29 30 33 38 39 40 & 41-

× A

Fort St. George 27th November, 1845.

entered in the Margin Zabitah for fusly 1228 sanctioned by Government under date 23d April 1819.-

2- The Board further direct me to take this opportunity to request your attention to the allowances Annually paid to the Cavilgars of Mannundoor, Kistnapoor, Kurkumbadee and Edovoovoor Mettoo in the Tripitty Taluk- These Cavilgars appear, from the correspondence entered in the Margin, to have been placed under the authority of the Collector in 1810. Chiefly for the protection of the Pilgrims who resort to the Tripitty Pagoda and consequently for the security of the revenue which arises from their offerings, but the connexion of Government with the Tripitty Pagoda having entirely ceased, and the offerings being now received by the Mokunt, in charge of the Pagoda, for the benefit of that Institution, it appears proper that the expense of this Establishment should be defrayed from the Pagoda funds- You will be pleased to state the particular duties upon which this Establishment is employed, and to furnish a Statement of their number and

× Vide Pp. 29 & 30 in the Statement of Charges for fusly 1252- & 1253 retrenched by the Civil Auditor submitted with Acting Coll.r's letter 29th Sept.r last-

F. 1252- 3,183-6-
F. 1253- 3,153-5-7-

From Coll.r 30th April in Cons. 4th May 1810.
To Govt. 21st May -
From Govt. 6th June in Cons. 12th July -
To Coll.r 12th July -
From Coll.r 31st Augt. in Cons. 3d September -
To Govt. 6th Sept.r
From Coll.r 15th in Cons. 20th Sept.r
To Coll.r 20th Sept.r

and pay and of any other emoluments which they may receive, with your opinion as to whether the charges for their maintenance should continue to be defrayed from the public treasury, or should be left to be paid from the revenues of the Tripitty Pagoda- You will be pleased to furnish the information now called for regarding these Cavilgars in a separate report for the purpose of being submitted for the orders of Government-

Revenue Board Office,
Fort St. George, in
27th November, 1845-

(Signed) J. Sycroft-
Secretary-

A.

Form-

Taluk.	Number	Names of the Pagodas and Mosques-	Amount Annually payable as entered in the Margin Zabitah for fusly 1228 sanctioned by Govt. 23d April 1819-	Amount actually paid to each institution- Fusly 1252.	Fusly 1253-	Explanation of the cause of the difference between the Amount annually payable & the sums actually paid-

Read

16397 Fort St. George 27th November 1845.

Read the following letter-

To,

J. Pycroft Esqre

Secretary to the
Board of Revenue
Fort St. George.

27

From the Actg. Collr. in the Nth Dn. of Arcot. } Para 1.

Sir,

I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue under date 19th June 1845 with an Extract from the Minutes of Consultation of the 14th June 1845 requiring me to state "what is the Custom of this district "when Perumpoke land is occupied for building "by others than the ryots, to enable the Government "to decide whether a piece of Ground at Arcot for "which a grant is required should be held rent free."—

2. Perumpoke land granted for building purposes in this District is subject to a Quit Rent of from S. Pagoda 1. to S. Pagoda 1 1/2 under the orders of Government dated 27th December 1810- but this does not appear applicable to the piece of land in question on account of its being situated within the limits of the Cantonment- It appears that under the orders of Government of the 7th July 1840- "Grants of Ground within Military Cantonments are not chargeable with fees or Quit Rent"- Later orders were passed by the Government under date 15th June 1844 on the subject of the tenure of lands in Military Cantonments, but were not considered as intended to disturb the operation of the above order of the 7th July 1840.—

Board's Proceedings 8th July 1844.

North Arcot,
Collr's Circuit Cutcherry,
Palmnair, 29th October 1845.

(Signed) E. C. Lovell
Actg. Collector

Ordered-

16398 Fort St. George 27th November 1845

Ordered that the foregoing letter be submitted with the following address.-

To The Chief Secretary to
Government

27-28

To the Chief Secty to Government

Submitting with reference to Extract Minutes of Cons. 14th June last a letter from the Collr. North Arcot furnishing information regarding the Custom of the district when Perumbooke land is occupied for building by others than the Ryots and requesting to be informed whether the rules of 15th June 1844 are not to be understood as having altogether superseded the former orders of Government of 7th July 1840 by which grants of land within Military Cantonments are not chargeable with fees or Quit Rent.-

From Secretary to Govt. 28th Decr. 1810
Cons. 27th Decr. 1810 Para. 4
Communicated by Circular to Collrs. 27th Jany.
Bd's letter to Govt. 30th October 1837.
G.O. — 13th Novr. —
Cons. 16th Novr. 1837.

Sir,

1. With reference to Extract Minutes of Consultation 14th June last calling for information in regard to "the Custom of the District of North Arcot when Perumbooke land is occupied for building by others than the Ryots" I am directed by the Board of Revenue to forward the accompanying letter from the Acting Collector on the subject.-

2. It will be seen that Mr. Lovell states that Perumbooke land granted for building purposes in his District is subject to a Quit Rent varying from 1 to 1 1/2 Star Pagoda under orders of Government 28th December 1810- It should however be observed that those orders apply only to "land held under Company's Grants-" "ryots or" "any Subjects of Her Majesty" "Act IV. 1837 being allowed to occupy land on Puttah at the ordinary land assessment.-

Cons. 27th July 1843

3. The Acting Collector however represents that the particular piece of land which has led to the present reference, being within the limits of the Arcot Cantonment would seem to fall under the orders of Government 7th July 1840 by which Grants of land within Military Cantonments are not chargeable with fees or Quit Rent. The operation of these orders has not he states been understood to have been affected by the subsequent orders of 15th June 1844.-

Cons. 8th July 1844.

The

10399

Fort St. George 27th November 1845.

4. The Board observe that the orders of the 9th July 1840 were explained by a subsequent order / Military Department 19th October 1840 / to refer only to ground held under Grants - And as regards the remark of the Acting Collector in the concluding passage of his letter the Board would bring to notice, that it was their impression, that the orders of Govern= =ment 15th June 1844, tho not meant to have retrospective operation were intended to take effect from the date of their promulgation, in Modification of all former orders - but as it is of importance that no misapprehension should exist upon this subject, they beg to request that they may be informed whether the view which they have taken of the operation of the rules of 15th June 1844 be correct, whether all lands held in Military Cantonments, on grant or otherwise should not have been treated under those rules from the date on which they were communicated to the local Authorities and whether they are not to be understood as having altogether superseded the former orders of 7th July 1840 -

5. Under any circumstances it appears to the Board that those rules must apply to the Appli= =cation made in behalf of the Reverend Mr. Gannon, that if that Gentleman is to hold on Grant he will pay such Quit Rent as may be stipulated in it - if without Grant and simply on Puttah he will be charged with the land Assessment, unless it exceed the Quit Rent, in which case the latter only will be levied. The usual Quit Rent in North Arcot without Military Cantonments; has been shewn to vary from 1 to 1½ Pagoda per Cawny, and the Board presume that similar rates prevail within = Cantonments - The Assessment on Perumbokes land would be determined by that fixed upon = Assessed land of like quality in the vicinity. -

Revenue Board Office
Fort St. George
27th November 1845. -

(Signed) T. Pycroft.
Secretary.

Read.

inform'd 2d Nov. 1845

10400

Fort St. George 27th November 1845.

Read the following letter. -

To

T. Pycroft Esqr.

Secretary to the
Board of Revenue
Fort St. George

Sir,

From C. C. Lovell Esqr. Acting Collector of North Arcot.....

Para 1. With reference to the Board's Proceedings under date 23d Ultimo, I have the honor to state that it is not in my power to point out any reduction or consolidation of offices in my Establishment which would allow of the increase which I have recommended in the pay of the Translator to be made without entailing additional expence on Government. -

29

2. The English Establishment is barely equal to the constantly increasing demands on it - and I apprehend that some further addition will be necessary ultimately to enable me to carry out the orders of Government and the Board, regarding the Enams, though any re= =presentation on this point would be prema= =ture until I have better means than I posses at present of calculating the extent of the labor that will be required, - but until some decrease takes place in the extent of the duty to be performed no reduction

Extract Estimates of Consultation 25th April 1845. - Board's Proceedings 22d May 1845. -

Canv

Fort St. George 27th November 1845.-

Acres 27-34, " on the Moha Road to be granted on Puttah to Mr. Gay, and a Puttah was accordingly given in Fusly 1252 for Acres 54-39- " including Acres 27-5-" already held in the name of Mr. W. C. Gay- Under these circumstances the Board will perceive that after the Wills came under Government Management Mr. Gay did not obtain land for Cultivation on Cowle tenure, if he had applied for it the Board's sanction would have been obtained, but not having done so Mr. Gay is not entitled to hold any portion of his lands free of rent for any term.-

3. The lands held in Mr. Gay's son's name and for which Puttahs were granted in Fusly 1252 are.-

	Land		Teerwah	
	Acres	G. M.	Pds	A. C.
In the name of Mr. W. C. Gay in the Moha Road	54	39 "	54	15 7
Do. Do. in the Mootoo Road	12	2 9	12	1 "
	67	1 9	67	" 7
Held under Government Grant by Mr. Gay	17	16 10	17	6 7
	84	18 3	84	7 2

4 Of the Sum of Rupees 84-7-2 Pds 72-6-2 was

Fort St. George 27th November 1845

was due in Fusly 1252, also Rupees 17-6-7 arrears of Fusly 1251, on account of land held under & under Government Grant, making a Total of Rupees 89-12-9 Demand was frequently made & but in vain- attachment of property was resorted to, and a list thereof is herewith submitted, and I have to solicit the orders of the Board how I am to act.-

5- The land granted to Mr. Bruere was not of any portion belonging to Mr. Gay- it was given to the former Gentleman by Mullick Gownden, and a portion by Mr. Cadenhead- In the meantime, Mr. Gay complained to the Principal & Collector, Mr. Gleig, that a portion of his land was taken away by Mr. Bruere whereupon Mr. Gay was directed to appear to prove the point & within a stated time, but he having failed to do so, a Puttah was granted in Mr. Bruere's & name- If that is the subject of the present litigation, the decision of the Court will & prove hereafter.-

Salem Zillah----
Tripatore
Pr. Coll. Cutcherry
12th April 1844---

/signed/ W. C. Lockhart
Acting Pr. Collector

/True Copy/
/signed/ W. C. Lockhart
Collector

Translation

16405 Fort St. George 27th November 1845

Translation of a list of Moveable property Hufted by order of the Acting Principal Collector of Salem on account of Assessment due by Mr. Gay on lands held by him on the Shervaroy Hills.-

		Estimated Value Rs	a	p
1	Tin Hat box together with a hat therein	3	8	"
1	Tin Clothes Chest	3	"	"
1	Brass Chamber Utensils	2	8	"
2	Chairs	5	"	"
1	Sword	6	"	"
1	Leather Box	4	"	"
1	Dealwood Box	"	8	"
1	Morah	"	8	"
1	Couch	"	8	"
1	Tin Box containing a hat	1	"	"
1	Table	6	"	"
2	Old Cots	2	"	"
1	Round Table without frames	1	"	"
1	Small Drawer without frame	1	"	"
2	Cots	1	"	"
1	Wild Buffaloe horn	2	"	"
1	Bay Poney white on the face	5	"	"
1	Bay Mare	8	"	"
1	White Bullock	18	"	"
2	Cows and a Calf	4	8	"
3	Heifers	5	"	"
1	He Buffalow	5	"	"
1	Hut at Semmadavoo	3	"	"
	Total Company's Rupees	90	"	"

/Signed/ Surjapoor Seenevasa Row
Tahsildar of Salem.-

April 8 1844.-

/True Translation/
/Signed/ W. C. Lockhart
Asst. Pl. Coll.

/True Copy/
/Signed/ W. C. Lockhart
Collector

To

1640[illegible]

16406 Fort St. George 27th November 1845

To

C. C. Lovell Esqre.
Acting Secretary to the
Board of Revenue
Fort St. George

Sir,

From the Pl. Coll. of Salem

32

+No. 861 of 1844

*12th April 1844.

With reference to your letter of the 27th July last forwarding a +Petition from Mr. Gay a Coffee planter on the Shervaroy Hills, claiming exemption from Assessment on 54 Acres of land for 5 years, Puttahs to be given him for 17 Acres and asking exemption for 64 more Acres, I have the honor to forward Copy of a *letter addressed to the Board by the late Acting Principal Collector reporting upon the subject on a Petition formerly presented to the Board by the same individual.-

It does not seem to be Mr. Gay's wish to have any of his Complaints brought to a Settlement by the local authorities, but to have some pretence for addressing the Government and authorities at the Presidency, he has always some excuse which prevents him from appearing when called on, and in several instances his mode of addressing the Authorities in this District has been most offensive. He has apparently no means for bringing into Cultivation so large a portion of grounds as is entered in his name, and I rather suspect he intends to try the Speculation of getting lands rent free and selling them when he finds a purchaser.-

Salem Hillah
Assoor
Pl. Coll. Cutcherry
29th September 1844.

/Signed/ J. D. Gleig.
Pl. Collector.

/True Copy/
/Signed/ W. C. Lockhart.
Collector.

/Here enter Enclosure.- Copy of a letter from the Acting Pl. Collector of Salem dated 12th April 1844, already recorded/.-
Ordered

1407 Fort St. George 27th November 1845.

Ordered that the following letter be sent in reply.-

To,

The Collector of

Salem

Sir,

To the Collector of Salem } 1. I am directed by the Board

of Revenue to acknowledge the receipt of the

in cons. 27th Novr. 1845. Copy of your letter of 12th April 1844 on

31-33 the subject of a complaint presented by

Mr. Gay letter on the Sheveroy Hills, the

original being one of the letters intercepted

by the Head Writer of your Office.-

2. As more than a year and a half has elapsed since your report was written to the Board before passing any orders upon it wish to be informed whether Mr. Gay has yet paid the arrears of Revenue mentioned in Para 4 of your letter - if not what measures have been taken regarding him - what is the extent of land which he or his sons now occupy on the Hills and on what terms they hold it whether he has made any further Complaints to yourself or your Predecessor respecting these lands and in such case in what manner they have been disposed of.-

Revenue Board Office
Fort St. George
27th November 1845

(Signed) T. Pycroft.
Secretary

Read.

1408. Fort St. George 27th. November 1845.

Read the following letters.

To,

E. C. Lovell Esqre.

Acting Secretary to the

Board of Revenue

Fort St. George

From the Prin. Coll. of Salem ... } Sir,

1 Decr. 1843

34

I have the honor to forward a letter and its enclosure from Rungamaicooloo Chetty at Madras, and to request you will have the goodness to inform me, whether the Government have sanctioned the Individual in question to address the public Authorities, as I am now receiving Applications from persons in the Talooks who have subscribed to the work that their Copies may be forwarded to them. The Collections made in the Zillah are shown in enclosed Memorandum.

Salem, Zillah,
Prin. Coll. Cutcherry,
13th June 1844 ...

(Signed) J. D. Gleig.
Prin. Collector

(True Copy)
(Signed) W. E. Lockhart
Collector.

Memorandum.

Fort St. George 27th. November 1845.

Memorandum of Amounts received into the Treasury on account of Tamel Copies of Regulations and Acts from 1802 to 1840.

Sums entered in the Jrsalnamahs of the following Talooks for January 1844 and Credited in the Chittah on the 27th. of the same Month Viz.

	R.	A.	P.
Ahtoor	12	"	"
Denkencottah	12	"	"
As per letter of the Tahsildar of Tengaracottah dated 1st. February	6	"	"
Do. Do. of Namcul 21st. Do.	6	"	"
Do. Do. of Tripatore 26th. Do.	12	"	"
Do. Sheristadar of Ossoor 18th. Do.	24	"	"
Do. from the Head Sheristadar's Cutcherry in Do.	84	"	"
Do. from the Sub Collrs. Cutcherry Do.	24	"	"
Do. Government Vakeel	6	"	"
Total 180	"	"	"

Salem, 13th. June 1844.

(Signed) J. D. Gleig
Dpy. Collr.

(True Copy)
(Signed) W.E. Lockhart
Collr.

Order

Fort St. George 27th. November 1845.

Order thereon.

34-35

Ordered that the Collector of Salem be informed, that the Board are not aware, of Government having authorized C Rungaraucoolee Chetty to address the Public Authorities.

To,

E. C. Lovell Esqre.
Acting Secretary to the
Board of Revenue
Fort St. George

36

From the Prin. Collr. of Salem

Sir,

With reference to Extract from the Board's Proceedings of the 3d. Instant, I have the honor to forward Copy of Extract from the Proceedings of the Session Court of Salem, which contains the called for information.

Salem, Prin. Collr. Cutcherry, 15th. June 1844.

(Signed) J. D. Gleig
Prin. Collector

(True Copy)
(Signed) W.E. Lockhart
Collector

Extract from the Proceedings of the Session Court in the Zillah of Salem under date the 20th. May 1844.

Read record No. 1 transmitted by the Acting Magistrate of Salem with the Return dated 15th. Instant to this Courts' Precept of the 13th. Instant regarding Case No. 1 disposed of by the Head Assistant Magistrate in February last.

In the above case, dealings between the Prosecutor and the 1st. Prisoner are admitted on account of which the latter was indebted to the former. The 1st. Prisoner declares he had in consequence paid certain Revenue balances due by the Prosecutor and that he received

Fort St. George 27th. November 1845.

received the receipt, whereas the Prosecutor maintains he paid them, as however the 2d. Prisoner (the Monaagar) declares the first Prisoner liquidated the said balances, excepting one, and that he furnished him with the receipt, and the 2d. Prisoner's Statements are partly corroborated by the testimony of the 1st. Witness (a Village Servant) for the 1st. Prisoner, and Witnesses first examined for the prosecution prove that on the occasion of a dispute regarding dealings they saw the receipt with the 1st. Prisoner, which receipt is not shewn ever to have been in the Prosecutors' possession, the Witnesses subsequently examined (who the 1st. Prisoner declares were instigated) assert the Prosecutor paid some Kists (the Amounts of which they do not state) the Sessions Judge is of opinion that there is not evidence to prove fraud or theft, and accordingly directs that the fines levied on the 5th. and 16th. February last be returned to the parties.—

Ordered that an Extract from these proceedings be forwarded to the Magistrate with precept returnable without delay and the record be returned.

(True Extract)
(Signed) J. G. S. Braure
Sessions Judge

(True Copy)
(Signed) I. D. Gleig
Princl. Collector

Order

Fort St. George 27th. November 1845.

Order thereon,

Ordered to be recorded.—

36-37

To

E. C. Lovell Esqre.

Secretary to the
Board of Revenue
Fort St. George

From the Princl. Collr. of Salem

Sir,

38

I have the honor to transmit translation of a complaint presented to me by Mootoosawmy Gounden late Joint proprietor of Dindoomungy Mootah and solicit the orders of the Board whether under the circumstances of the individual having filed a suit against the late Acting Principal Collector in the Court, I can now enquire into his present complaint.—

Salem,
Princl. Collrs. Cutcherry,
4th. July 1844.

(Signed) I. D. Gleig
Principal Collector.

Translation of an Utzee submitted to I. D. Gleig Esqre. Principal Collector in the Zillah of Salem by Mootoosawmy Gounden Zamindar of Dindamungalum Mootah in the Paramutty Talook.

I respectfully beg to state that when I appealed to the Board of Revenue regarding the undue sale of the above Mootah, conducted by the Acting Principal Collector in Fusly 1253 on Account of the Arrears due for fusly 1252, and the illicit purchase made by Raja Gounden

Joint

1643. Fort St. George 27th. November 1815.

Joint Moodahdar, through the medium of his own brother in law Coomaravala Gounden, an instruction dated 14th. November was received from the Board for receiving the balance due by the Moolah from myself and for putting the Moolah into my possession, accordingly the Acting Principal Collector received from me the balance against the Moolah Viz.t Rupees 5257 12 7. but without putting the Estate into my possession made a misreport to the Board and afterwards put the Moolah into the possession of the Purchaser Coomaravala Gounden stating that the purchase was confirmed by the Board. Joint Moodadar Rajah Gounden with the intention of deceiving us fraudulently got the Moolah purchased in the name of his brother in law Comaravala Gounden praying himself the Tavanut Ycu. and he himself now conducts all the affairs of the Moolah and enjoys it. This is well known to the community as well as to the Head and Naib Sharistadars, Head Jaivab navis Vencoba Row, Yeddapandy Sooba Row Ycu. Public Servants. Although I instituted a suit in the Zillah Court for my being deceived (as above stated) yet I submit this Urzee in order that your Honor may cause a personal enquiry regarding the purchase made at the Public Auction contrary to the

1644. Fort St. George 27th. November 1815.

the Regulations by Rajah Gounden for his own self in the name of his brother in law Comaravala Gounden and report the result to the Board of Revenue. I therefore solicit that your Honor will examine the under mentioned Witnesses and render justice.

(Signed) Mootoosawmy Gounden

2d. July 1814.

Sheen Vassee Iyengar
Writer of the Urzee.

Witnesses

1 Vengattaramah Naiken of Nallakaraumcottay in the Moolah of Dindamungalum.
2. Palanynala Gounden of Chinna Gounden pollieum, in the Do. Do.
3 Palamaly Chetty of Do. Do.
4. Caroapa Gounden of Cusbah Dindamungalum.
5 Pariah Veeloo Moolah Gounden of Do.
6. Pootosparia Gounden of Do.
7 Chemba Gounden of Vaitoovempollieum
8. Jummungaly pallieum Pollys Gounden.
9. Chengoda Gounden of Do.
10 Nauchy Gounden of Do.

Sookasspah

Fort St. George 27th November 1845.

11. Soorappah Naiken of Munjee Naikenoor.
12. Paluny Moonsiff of Parea gounden pollieem.
13. Vala gounden.
14. Sookramaniah Gounden of Arlanarry pollieem.
15 Vuttanacharry a Goldsmith of Dindamunga-
lum.
16. Teroomalay Valagounden of Do.
17 Mondykattoo Valagounden of Do.
18. Vaitayagounden of Nullagounden palieem.
19. Coopagounden of Do.
20. Parayenkatoo Milly gounden of Do.
21. Veerapagounden of Toommegoorachy mootta:
Kapulty.
22. Rungapillay a Village Curnum
23 Hoopalia Rungun of Nullagoundenpolliem
24 Caroopen ..... } Village Jotties.
25 Paroondalayen }
26. Pabianapillay Curnum of Erroonapooram
27 Vuttagounden
28 Venkatachella Reddy son of Nullapa Reddy.
29. Karoopen } Jotties
30 Poodrogun }
31 Yeddakanly Coolyen.

A true Copy.
(Signed) W. E. Lockhart
Collector

Ordered to be recorded.

Order thereon-
38-39

Order

Fort St. George 27th November 1845.

To
C. C. Lovell Esqre
Acting Secretary to the
Board of Revenue
Fort St. George

40

From the Pt. Collr. of Salem, Sir,

Honourding Copies of two Decrees passed in the Subordinate Court of Salem in favour of Govt

O.S. 206 of 1842 dated 29th May 1844
O.S. No. 274 of 1842 dated 6th June 1844

Salem Zillah Cutcherry 27th July 1845

I have the honor to forward for the information of the Board Copies of two Decrees passed in the Subordinate Court of Salem in favour of Government.

I have the honor to be Sir
Your most obedient humble Servant
Signed J. D. Gleig
Pt. Collector

No. 1.

Salem Zillah
Subordinate Court.

Seal

Original Suit No. 206 of 1842

Plaintiff	Versus	Defendant
Mauzappen		1 Soondrum
Vakeel Rungareddy		1 Village Curnum
		2. Mollen
		3 J. D. Gleig Esqre
		Pt. Collr. of Salem

By Government Vakeel Syed Abdul Majeed

A suit instituted in order that a spot of ground dry malaypoyary No. 35 consisting of

Fort St. George 27th November 1845.

of two Acres 28 Cooliss 8 Annas called — Colladeva Poonjah and paying a tax of Rupees 2 Annas 4 Pica 6 and producing Rupees 15 may be transferred from the name of 2d Defendant to that of Plaintiff —

Plaintiff states that the land in question is situated in the Village of Secaulally Paramporay Talook and is — bounded on the west by a small Rock East by Sealins fields North by Vaida Chinnans field and South by Vellavanny pollam — that from 1830 up to 1836 it was held with puttah by one Vobaly Chinnan, left fallow in 1837 and consequently not assessed that in 1838 he (Plaintiff) obtained the land from the Government with a puttah and paid the rent (Condayam) for that year and 1839 obtaining receipts for the same that in 1840 the 2d Defendant by the assistance of the 1st and 3d Defendants obtained a puttah for the land and urged him (Plaintiff) to give it up. that the rent for 1840 was not received from him (Plaintiff) for which he complained but to no effect to the Principal Collector 3d Defendant —

1st Defendant in answer — states that 3/8 Cooliss of land attached to

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to a spot of ground called Vobalapolamaram and (lately No 27 but now No 26) and registered in the name of the 2d Defendant had been — enjoyed by one Vobaly Coundan and Vosaally under the false assertion that it was No 35 — that subsequently it was left fallow that in 1838 Plaintiff without the permission of any one cultivated the land in dispute, but in the mean time his (1st Defendants) father died and he 1st Defendant) was not aware of the previous enjoyment subsequently alterations of the Nos. Names and assessment were made by all the Villagers of the land attached to the Village of which he is now the Curnum that in consequence a puttah was granted as heretofore that he (1st Defendant) however reported the circumstance to the 3d Defendant who therefore directed the Talook Tasildar &c. to measure the lands and apportion to each spot of Ground its proper quantity of land that the Ryots approved of the allotment made that on the Defendant ascertaining that the land in dispute belonged to that registered in 2d Defendants name cancelled Plaintiffs Puttah as being improper —

2d Defendant in answer affirms that of 1st Defendant adding that since the 3d Defendants decision in the matter Plaintiff has obtained from

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from him 2d. Defendant the land in question on rent which rent he paid for one year that not paying for the 2d. year he resumed the land and intended suing Plaintiff for the rent of that 2d. year understanding which Plaintiff has brought the present claim.—

3d. Defendant in answer states that the Plaintiff asserts what is contrary to fact when he affirms that the 2d. Defendant obtained a puttah for the land [in dispute] in Fusly 1250 [1840] he got one in 1837 for field No. 62 and called Abelee Palamaxanutha in the Cheralahully Village measuring Acres 23-13 paying Rupees 18-6-. That in 1838 Plaintiff without permission from any of the authorities cultivated Acres 2-28-8 of this same field the puttah for which was previously in the possession of 2d. Defendant that by the Curnums neglect in not inspecting his accounts, and by entering the land cultivated by the Plaintiff in 1837-38 [Fusly 1248] in a false number and name Plaintiff obtained a Puttah for that year. That in 1839 this false entry was brought to his [3d. Defendants] notice and it was remedied that as one field cannot be entered in two puttahs and as the 2d.

Defendant

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Defendant had a prior puttah and possession for and of the same the whole field with puttah was of course given over to him that Plaintiff has no right to any portion of it that there is no field as claimed by him in the Village Account.

Plaintiff in reply states that with the exception where the Defendants in their several answers admit the passing of a puttah in his name the rest of their Statements are incorrect that 2d. Defendants Statement that the land was given to Plaintiff by 2d. Defendant on rent is contrary to those of 1st. and 3d. Defendants that if it had been 2d. Defendants would have obtained a Document from him [Plaintiff] to that effect that were the 3d. Defendants Statement true that the land belonged to 2d. Defendant he [3d. Defendant] would not have passed a puttah in his [Plaintiffs] name and 2d. Defendant would not have allowed him to enjoy the land as stated in his plaint. That 1st. Defendant aided his father in the duties of the Curnumship being 30 years of age at the time his excuse therefore of ignorance is not worthy of credit [untenable]

Plaintiff.

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Plaintiff files a supplemental plaint to the following effect that the land in dispute prior to his getting it had for several years been enjoyed by different Ryots with puttah now had the land really belonged to 2d. Defendant he would not have permitted this that hence it is to be inferred that the 2d. Defendant fraudulently incorporated the land in dispute with that of 2d. Defendant that the Curnum fraud is admitted by the 3d. Defendant in his answer, who further states that two puttahs cannot be granted for the same spot of ground and that the said land was not entered in the Pymash accounts that he /Plaintiff/ under these circumstances wishes to know how the land was entered in the accounts of Assessment for several years prior to 1830 and why the Curnum fraud was not detected by the late Collector Thasildar &c. who every year made due enquiry? that the 3d. Defendant does not account for the above in his answer that the land was never measured as stated by the 3d. Defendant that if the Court will depute an Ameen to measure the 2d. Defendants land it will be

shewn.

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shewn that the land in dispute does not belong thereto that the Puttahs granted for the land when separate prove that it is distinct from that of the 2d. Defendant.

3d. Defendant in answer to the above states that it is probable the land in dispute was granted to several other Ryots for a considerable time that it might have been so granted by the 1st. Defendants father, when he was the Curnum through negligence and without examining the Accounts that in like manner the 1st Defendant also caused the puttah to be issued to Plaintiff for 1838 that in 1838 the 1st Defendant informed the Principal Collector that the ground and teerwah of the Village in which the land in despute is situated and others do not correspond with the Pymash accounts that the land cultivated by the Ryots is not correct neither the Jodi affixed by his /1st. Defendants/ father in 1830, that he /1st. Defendant/ had not the Pymash accounts with him and that his father conducted the business during his life time, that on this in the year 1839 the land was measured and examined by the Pymash accounts which were

with

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with the Collector that by this the land in dispute was found to belong to No. 62 to which it was accordingly joined. had this circumstance been previously made known it would have been / in doubt / remedied None of the Defendants filed any rejoinder. Two witnesses were examined on behalf of Plaintiff one for Plaintiff and 2d Defendant one for 2d Defendant and two for 1st and 3d Defendants.

Plaintiff filed four Documents A B C D. 3d Defendant to E E.

A is a puttah granted to certain persons by the Collector for the land in dispute. No. 35 for 1830 B is a Do. Do for 1833 C is a Do. Do. to Plaintiff for 1838. D is a Do. Do. for 1838. E the Surveyor Pymash Account dated 1795. F the Summabundy receipt for 1837.

The case appears to be simply this. was 2d Defendant in possession of the land in dispute prior to Plaintiff as forming part of the land No. 62 as asserted by the 3d Defendant or for the 1st time in fusly 1250 / 1840 / as declared by Plaintiff.

If the former Plaintiff can

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can have no right whatever to it. His / Plaintiffs / having held it, be the means what they may, cannot invalidate a prior puttah unless the person or persons who so held it relinquished their claim such possession being clearly illegal cannot and does not confer any right to the land. It is never too late to detect fraud and apply a remedy and it is evident that fraud must have been committed or gross negligence incurred if 2d Defendant had a prior puttah for the land as being included in No. 62 and then Plaintiff one for a part thereof in 1838 a circumstance of itself sufficient if proved to invalidate the subsequent Puttah and lose Plaintiff his suit should it however be proved that 2d Defendant had not a prior puttah i.e. that the land in dispute did not form part of No. 62 then of course the 3d Defendants proceedings were and are illegal and Plaintiff is entitled to a verdict. It does not appear to the Court to matter much if other Ryots held the land previously or not this is a minor point which merges itself in the one principal and guiding above.

There

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There is however another point to be considered Viz^t did Plaintiff as asserted by 2^d Defendant subsequent to the 3^d decision receive a puttah for the very land in question from 2^d Defendant and pay him 2^d Defendant rent thereon for one year

Should this be established in the affirmative it amounts almost to a tacit acknowledgment by Plaintiff that he has no right to the land but that it does in reality belong to 2^d Defendant

On referring to the evidence the Court finds that Plaintiffs two witnesses merely depose to Plaintiff and certain others having at different times cultivated and enjoyed the land in question but that neither of them deposes to the land in dispute being separate and distinct and having a name and N^o of its own - That 2^d Defendant has wholly failed in proving that Plaintiff rented the land from him subsequent to the Collectors decision - That according to the evidence of 1^st and 3^d Defendants 2^d witness 2^d Defendant was in possession of N^o 62 prior to 1838 but in which year he got possession he cannot state that there

is

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is no such land as mentioned by Plaintiff this is the sum and substance of the evidence and meagre enough it is indeed it would be a matter of impossibility to come to a right or clear decision upon such evidence There remains however to be considered 3^d Defendants documents E F

A careful perusal of the Pymash Account E shews beyond a doubt that there was not and consequently is and cannot be any such land as stated by Plaintiff either in name or quantity of ground attached thereto - This is positive proof that Plaintiffs assertion that the land in dispute is distinct and separate with a N^o and name of its own is not founded in truth and as Plaintiff mainly grounds his claim on this being proved in his favour it is evident that his right is a mere shadow and inferable that the land in dispute belongs to N^o 62 which portion of land it is proved beyond dispute was given in 1837 to 2^d Defendant by the Jummahbundy Account marked F and by the testimony of the 2^d witness for 1^st and 3^d Defendants

hence

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hence then it must be allowed that 2d Defendants Puttah of 1837 is prior to that of Plaintiffs of 1838. The 3d Defendant allowes that Plaintiff for one year had the land and does not deny that others also may have held it but that both he (Plaintiff) and they must have done so through fraud or negligence. The Court having already given its opinion as to the main points and shewn in a former paragraph that illegal possession confers no right no further remarks on this head are considered necessary.

The only other point on which it is considered necessary to say any thing is the assertion of Plaintiff that he got a puttah for the land for 1839. no such Puttah is produced and there is nothing to shew that he obtained one for that year but only for 1838. This like the assertion of the 2d Defendant that Plaintiff subsequently rented the ground from him appears to be a gratuitous falsehood.

Complaint dismissed 2d Defendant paying his own and Plaintiffs

the

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the rest of the Costs

Costs incurred by the Original Plaintiff.

Value of Stampt paper	13 8	
Batta for summons peon	5 12	
Pleaders fees	" 12	
	20	

Costs incurred by the 1st and 2d Defendants

Value of Stampt papers	2 8	
Pleaders fees	" 12	
	3 4	

Costs incurred by the 1st Defendant himself

Value of Stampt papers	2	
Batta for summons peon	1 8	
	3 8	

Costs incurred by the 2d Defendant himself

Value of Stampt paper	2	
Batta for Summons peon	1 8	
	3 8	

Costs incurred by 3d Defendant.

Value of Stampt paper	7	
Batta for Summons peon	1 8	
Carried forward	8 8	30 4

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Brought forward ——— 8 8 " 30 4 "

Fees to be paid to the Government Vakeel ——— " 12 "

——— 9 4 "

Deduct Total Costs ——— 39 5 "

Costs already paid by the Plaintiff ——— " 20 "

Balance ——— 12 6 "

Costs to be borne by the Defendant ——— 2 " 5 2 "

Given under my hand and the seal of the Subordinate Court at Salem this 29th day of May A. D 1844 Sealed and Signed this 2d day of July 1844.

Term for making an appeal expires on the 2d August 1844

/ Signed E. Story
Sub Judge

/ A true Copy
/ Signed W. E. Lockhart
Collector

Original

16430

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No 2.

Salam Yellah -
Subordinate Court -

Seal

Original Suit No 274 of 1842.

Plaintiff - Defendant

G. F. Fischer Esqre Versus G. D. Gleg Esqre
by Vakeel Rungachary - by Government Vakeel Syed Abdul Nassed Sahib -

Instituted in order that Defendant may be directed to pay to Plaintiff annually assessment on 25 Acres, 12 Goontas and 11 Annas of land which pay a tax per annum of Rs 52 - 5 - 6 and yielding 110 Rupees; that Defendant may be directed to execute to Plaintiff a Mouchilkah and receive from Plaintiff a Puttah to that effect; or that Plaintiff may be permitted to let out the land to others and that Rs 157 - 3 - 6 may be awarded Plaintiff, to be paid by Defendant, as condayem for the last three years.

Plaintiff states that 5 Acres, 14 Goontas and 15 Annas of the land in dispute are situated in the Talook and Village of Salem, to the East of the Trichinopoly road; to the South of the wet land attached to the Punyentangy tank; to the West of the said tank,

and

and of the Punjah land belonging to Sinna Coundien Vyapoory of Tadacupatty; that it hays a yearly rent of 11-1-3 or produces 28 Rupees. That 18 Acres 20 Goontahs, 17 Annas are situated to the West of the Trichinopoly road, to the North of the boundary of the Village of Anderputty; to the East of the inlet of Locachetty tank; and to the South of the Punjah land of Moottoopillay, paying an annual rent of 38-0-3 or producing 80 Rupees. That one Acre, 17 Goontahs, and 5 Annas of waste land is situated to the South of the road leading to the Fort to the East of the garden of Kanoonuntarayen and the Garden on the ditch of Fort to the North of the land belonging to Gopaul-naichen a Sepoy, and Sheik Emam the Jailer, and to the West of the river, paying annually Rs. as P. an assessment of 2-15-11 or producing 5 Rupees; that the above lands are waste called Anadeetenseee, and attached to the Salem Mittah which belongs to Plaintiff that the said lands are occupied by Government for public purposes, that from the 18th October 1839 Plaintiff addressed several letters to the Defendant requiring him to

pay

pay condayem for the said lands, and intimating that if the Defendant did not he (Plaintiff) would give them for rent to other ryots, that having received no answer to these communications he appealed to the Board of Revenue and Government, by which latter authority he was referred on the 10th June 1842, to the Civil Courts-

Defendant in answer states that it is entered in the Pymash accounts that the spot on which the travellers Bungalow is built is attached to the 4/8 goontahs which were deducted at the time of the Pymaish as "Kotay mode Mundavaly Perumbokie" and that the other two spots are attached to the 22/16 Goontahs deducted in like manner at the Pymaish as "Kalur Perumbokie" that no teerwah was fixed on these land at the time of the survey settlement, nor were they included in the permanent Berij accounts when the Mooltah was formed. That in the accounts published for the information of those who were desirous of purchasing Mootahs, the description of lands to be included are described under three heads Vizt 1st Lands that were under cultivation 2nd lands that were ex-

left

left waste after having been cultivated many years before.

3rd Immemorial waste or "Anady Bunjer lands" never cultivated yet capable of the same.

That this publication was sufficient to make the purchasers of Mootahs understand clearly what descriptions of lands would be included therein and that consequently the Salem Mootadar has no right to those lands that were deducted as "Perumboke" at the time of the survey. That the lands in dispute are not included in either of the three heads above specified. That an order was issued several years ago by the Board of Revenue to the effect that all the lands were rejected as "Perumboke" and unfit for cultivation, yet the Mootahdars had a right over those situated in the beds of tanks, Fort and Perumboke lands, but that this order was cancelled by the Minute of Consultation under date the 10th August 1838, that consequently the lands in despute do not belong to Plaintiff. That if the Government occupy for any purpose lands brought under cultivation after the formation of the Mootah the Mootahdar may claim rent for them

them, but that the lands now in dispute were never cultivated nor rent paid on them to the Mootahdar. That in the Extract from the Proceedings of the Board of Revenue dated 23rd December 1811, it is clearly stated, that if the lands in question "deducted from the assets on which the permanent settlement was formed were in the possession of Government at the time and have since been held without any demand of rent" the Mootadar has no claim thereto. That out of the three spots in question two have been deducted as "Kalur Perumboke" and have been set apart for the encampment of troops and a hanging place for a considerable time. That the other spot is attached to the "Kotamoodoo Mundavaly Perumboke" in which the Travelers Bungalow is situated, and the Board of Revenue in their proceedings dated 20th July 1840, state, that grounds of the descriptions specified in the occupation of Government either before or after the permanent settlement cannot be claimed by the Mootadars.

Plaintiff in reply states that it is shewn in the answer that Mootadars have a right to land under three heads, that they have no right to land excluded as "Perumboke" in the Pymash accounts that it is incorrect to state

State that the lands in question do not come under any of the three heads mentioned in the answer. seeing that certain ryots offered for them and that consequently they come under the third head. that no order was ever issued to the effect that Moottadars have no right to lands not arable. that the Sthirar sunnud clearly shews that they have a right to the whole of the lands within the boundaries of the Villages specified or within the said Sunnud. that the order alluded to by the defendant of the 10th August 1835 was not made known to him or (Plaintiff) or mentioned in the Minutes of consultation of Government under date the 16th June 1842. that as the lands in dispute are not deducted in any accounts for any specified purpose. Defendants Plea founded on the Extract of proceedings dated 23rd December 1841 and 10th July 1840. do not hold good; that because the encamping and hanging ground have been used as such, for they halt in different places, such as waste land groves &c it does not follow that he has no right thereto. that formerly the hanging ground was on the high ground. of the

the Fort situated between the Collector's Cutcherry and the burial ground. that the present ground has been used as such for the last 10 or 15 years. but that it was never deducted in the accounts for that purpose. that as the ground on which the traveller's Bungalow is situated, is surrounded by land paying rent it is evident he (Plaintiff) is entitled to it. that the Butthairy land, which is attached to the Salem Fort and similar to that on which the Traveller's Bungalow is situated, was decreed him by the Zillah Court in No 720 of 1835 and confirmed in appeal by the Provincial Court. that decrees for similar claims were obtained by him in 1843 from the Bundit Sudr Ameen and Court Viz: 38 of 1840 and 203 of 1841. that the Moottadars of Vellicoorchy obtained one also in No 381 of 1821 and that the tax collected by the Circar on Cadoocas-vil lands was remitted by order of the Board of Revenue.

Defendant in rejoinder states that the reasons urged by Plaintiff that the lands in question come under the 3rd Head are inadmissible. for that at the time of the survey such land as were occupied

occupied by Forts. tanks. ponds. villages.
burying grounds. roads. and barren lands
unfit for cultivation were deducted and the
remainder being arable. farmed out under
three heads (as already stated). that the
accounts prove that the lands in dispute
do not come under either of these heads.
that if Government is possession of lands
fit for cultivation within the limits of a
Mootah them the Mootahdars has a right
to them but to no other. that although
Plaintiff was not informed of the order
alluded to in his reply, it does not affect
his case. that although the lands allotted
for encamping ground and a hanging plow
were not set aside as such at the time of
the survey; yet as Government has held
them for a long time, and no assessment
before demanded or collected thereon, by any
Moottadar, it will be evident to the Court
that as laid down by the Board of
Revenue in their Proceedings of the 20th
July 1820 and 23rd December 1824. Plaintiff
has no right whatever to them; that with
regard to the land of the Traveller's Bungalow,
it is allowed, that if in lands deducted
as "Perumboke" there be any arable portion,
not-

not in the possession of the Circar. it belongs
Plaintiff. but that the spot in question is
not so and has been long in the possession
of Government that had the Court minutely
examined the documents produced by the
Defendant in No. 203 of 1841 the decree would
have been in the Defendants favour instead
of that of Plaintiff and he (present Defendant)
is prepared to appeal against the same.
that as the lands in No. 381 of 1821 came
under the 3rd head it was decreed accordingly
that the present lands are different being
"Perumboke" and deducted as such in the
survey accounts.

No witnesses were examined by
either party.

Plaintiff filed 8 documents Viz. **A**
The Istimrar Summud. **B** Extract from a letter
from the Board of Revenue to the Chief
Secretary to Government dated 8th November
1824. **C** Decree of the Provincial Court Southern
Division on Original decree of the Zillah
Court of Salem No. 126 of 1836. **D** a letter to
Government from Plaintiff regarding the
lands in dispute **E** answer of Government
to **D**. **F** another on the same subject to Go-
vernment by Plaintiff. **G** answer of Government
to

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to E.H decree of this Court in No 381 of 1821.

Defendant filed 5 documents Viz.t

No 1 Extract of a letter from the Secretary to Government Revenue Department to the President and Members of the Special Commission dated 1st September 1802. Nos 2. 3 Extracts from Proceedings of the Board of Revenue 15th April 1820 and 6th December 1811. No 4 Statement of land belonging to Salem Mootah dated 1804. No 5 Pymaish/or Survey Settlement accounts/.

The case appears to be simply this. Plaintiff claims 1st on the ground that the lands in question come under the 3d Head of the Schedule published for the information of intending purchasers at the formation of Mootahs. that is at the time of the permanent Settlement in 1801. Seeing that ryots had offered to cultivate them.

2ndly That they/grounds in dispute/ are not entered in any accounts as retained for Government purposes.

3rdly That the Istimrar Sunnud confers on the Mootadar the whole of the lands within the boundaries of the Villages specified therein.

That

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4thly That no order was ever issued reserving to Government a right to lands not arable.

5thly That the order of the Board of Revenue dated the 20th July 1820 declared that Mootahdars were entitled to the sites of Forts &ca.

6thly That no argument can be derived in favor of Defendant from long continued and present professsion in respect of the encamping ground, for that troops are in the habit of halting in various places; yet that their so halting gives the Government no title to those several spots, nor with respect to the present hanging ground, seeing that 10 or 15 years ago another spot was used for executions.

The Defendant resists the claim on the grounds 1st that two of the spots of ground in dispute were deducted in the Pymaish or survey account in 1801 under the head of "Kalar Perumbokie" and the third under the head of Kotaymode Mundavaly "Perumbokie". 2ndly That the Board of Revenue have ruled (see Defendants documents 2-3) that land reserved, at the said permanent Settlement in 1801. for special Government purposes do not belong to Mootahdars.

Before

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Before entering or deciding upon the merits of the case in dispute it previously becomes necessary in order to do so satisfactorily to arrive at just and sound conclusions on a few points that bear upon the case and which require elucidation.

The 1st is. What is the meaning of the word "Perumbokk"? Plaintiff evidently takes it in the single and simple and constrained meaning (yet as interpreted by Defendant in the present suit as well as in No. 203 of 1841) Viz. unfit for and not capable of cultivation.

His meaning from the nature of the Statements made on both sides, appears to the Court incorrect and adopted by Defendant carelessly and thoughtlessly. It is clear to the Court that the real meaning included to be expressed by the word "Perumbokk" is lands not intended for cultivation or in other words lands set apart at the permanent settlement survey account for other and particular purposes, for and on behalf of Government. Plaintiff has taken every advantage a play on this word could possibly give him, and the Court in deciding on No. 203 of 1841 gave it more

weight

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weight than it deserved.

The 2nd question is. What basis are the Courts to go upon in deciding cases of this description? A careful perusal of the Islimrar Summud. Regulation XXV. of 1802 and the other documents connected with the case; convince the Court that the only sound basis is. were the lands in dispute (or similar disputed lands in any other Mootah) included in the Pymaish or permanent settlement survey account of 1801 (See Defendants document No. 5) as deducted for and on behalf of Government or were they not? If they were the Court is of opinion that they belong to Government. but if not to the Mostahdars.

Out of this point (tho Plaintiff has not mooted the 1st of them by calling in question the Pymaish account) arises two most important questions. the 1st is. Is the said Pymaish or survey account of 1801 to be considered a legal and valid document or is it not?

In the present case as far as priority of existence goes it is a valid

document.

document, for it was drawn out in 1801, whilst the Istimrar Sunnud bears date 1802.

Section III Regulation XXV of 1802 states the said Sunnuds and Cabooliats "shall contain the conditions and articles "of tenure, by which the lands shall be "held. In all cases of disputed assessment, "reference shall be had to the Sunnuds &c "and cabooliats: and judgment shall be "given by the Courts of Judicature in &c "conformity to the conditions under which "the agreement may have been formed in "each particular case."-

The undoubted inference from this is that if Sorts, Common-land &c are not distinctly mentioned or clearly implied in the said Istimrar Sunnud; they are the property of the Mootahdar and not of the Government. To decide this point therefore it becomes necessary to refer to the said sunnud. in the 2d Para &c thereof it sets forth that exclusive of "Lakeraj lands (lands exempt from the "payment of Public Revenue) and exclusive of "all lands and rusoums heretofore appropriated to the support of Police Establishments"

In these two Extracts the Court considers

considers that a decided nay positive reference is made to the said settlement survey account of 1801 for in the 1st Extract "lands exempt from Public Revenue", what is more clear than that lands, as those in dispute and which Defendant asserts were never assessed or paid rent, are referred to; and &c again "appropriated to the support of Police Establishments" that Forts are intended? &c For it must be allowed that a Fort comes under the meaning of "Police Establishments" seeing that either Sepoys or Police Peons can be employed and kept in them: and indeed that they form but one class; only the former are a regularly disciplined body of men and styled Sepoys; and the latter irregular and called Police peons.-

If the Court mistakes not bodies of armed peons are mentioned in the &c early part of the Company's eventful &c history, as forming part of the regular establishment and actively employed in defending the states.

If this argument is allowed &c (and it appears in no ways a strained one) it follows as a matter of course, that the &c

Sunnud

Summud was based and framed on this survey account and that consequently it is a legal and valid one; and must be allowed to explain the Summud; it would doubtless have been more regular and satisfactory if the said survey account had either been embodied or annexed to the Istimrar Summud; whereby much trouble expence and doubt would have been altogether obviated.

The 2nd question is, do lands so deducted in the survey settlement account of 1801 (whatever denomination of "Perumboke" they may come under and there are many) revert to the Mootahdar or their being allowed to go waste or altered from their original state when so deducted or do they still remain the property of Government.

Take for instance "Gadigavail" "Perumboke" land; that is a Bamboo Jungle, it is supposed (the bamboo jungle) to have been deducted in the Settlement account of 1801. In the process of time all the bamboos are cut down and the land only requires clearing to be arable again

as

a fort is deducted, but the Government see reason to level its walls. Does the fact of the bamboos being cut down in the one instance, and the Fort walls levelled in the other, deprive Government of their right thereto, and the Mootahdars become entitled to them.

Original decrees 381 of 1825 (Plaintiffs document H) and 120/30 (Plaintiffs document C) this last confirmed by the Provincial Court Southern Division, the other not appealed against; and the Board of Revenue in their Proceedings of the 20th July 1840 (Defendants document No 2) appear to answer the favour of the Mootahdars. That such was the opinion of the Court in deciding 203/61, there can be no doubt; for the same Officer who decreed in that suit, is now employed on this.

An interval however of six months has afforded time for more mature reflection and consideration and thrown much new light on the subject so much so as to induce the Court to alter its opinion on this head.

One reason for this change of opinion is that it appears contrary to the rules of justice and equity to decide that because a person or persons or a Government put to a different use or do away with the aspect of a spot

of

of ground specially deducted by them when selling the property that such different use and alteration thereof, of itself annuls their right and devolves it on those who purchased the property from them - Had the Istimrar Sunnud or bill of Sale contained any such stipulation and consequent forfeiture, well and good - but where such is wholly wanting equity demands that, however altered, the land should remain with the original holders -

It will here doubtless be urged that the Board of Revenue have decided otherwise (Defendants document No 2) and that they surely have a right to do as they like in the matter and that their admission must hold good -

The Court thinks otherwise - The wording of the proceedings in question (No 2) is loose in the extreme, and the opinion therein given evidently put forth unguardedly and rashly - But at the best though the opinion of the Board of Revenue, it is that of a subordinate authority and unless Government have sanctioned that opinion (which they do not

not appear to have done) they cannot be bound by it - The Court takes the meaning of the said proceeding to be, that they (the Board of Revenue) deem it unwise and inexpedient to have spots of ground scattered about lying waste, when their Cultivation would so greatly tend to the bettering of the ryots, Mootahdars, and country in general, and that therefore as a matter of favour they allow them to be resumed and cultivated -

That this is and was the real meaning of the Board is evident from their subsequent proceedings (See Defendants document No 3) and the Government have not confirmed and do not approve of their previous opinion; it is clear from the existence of the present suit -

The 2nd reason is that if the decree of the Court, as laid down in No 203/4 is carried out, a most absurd and troublesome anomaly will and must exist: that is, the same spot of ground is made to belong to two opposite parties - Plaintiff may cultivate the fort and ditch of Salem by Government, may at any time respect the walls of the Fort and put an end to its cultivation - Now in common sense and justice a person cannot be

be said to have as his own a spot of ground and yet not to have it. But Plaintiff and Government are placed in that situation by decree No. 203/41. The fort and its ground must belong positively to one or other of the parties; and in the present opinion of the Court it belongs to Government having been entered in the Pymaish of 1801 as shewn by that document and which was filed in No. 203/41.—

A careful perusal of the decrees 381 of 1821 and 120 of 30 will in the opinion of the Court lead to similar conclusions for there appears nothing in those decrees that would declare that Government have no lands whatever in any Mootah; and that if they have, that they forfeit them by ex altering them or turning them from their original purposes.— There can be no doubt that the several Courts decided as they did in the above suits, on the very same grounds Viz: that the lands therein disputed were not found in the Settlement account of 1801 as deducted for particular purposes on behalf of Government.

The sum and substance of the foregoing, them is that the survey account of 1801 is the only satisfactory and fair basis on which

which to trust in deciding suits of this nature, that the Istimrar Summud is based and framed thereon; and that the said account must be allowed in such matters to explain the said Summuds.

That all lands entered as deducted for and on behalf of Government on that account to be considered as belonging to Government for ever, unless they chose to relinquish their right thereto, and that lands not entered therein to be considered the property of the Mootahdars.

That the meaning of Perumboke" is not confined to "unfit for cultivation" but comprehends land excluded by Government at the permanent settlement in 1801. as "not intended for cultivation." In what has already been said, the Court has noticed and answered the first five grounds on which Plaintiff rests his claim. There only remains the 6th and last which will be briefly noticed hereafter. It is now necessary to turn to the merits of the case; in deciding which the basis already laid down will be followed; the question therefore is simply is are the three spots of ground in dispute included in the "Adun Perumboke" and the "Kotaymode Mundaw aly Perumboke" lands and deducted at the survey settlement

of

of 1801 as assented by Defendant; or are they not to be found as entered in any accounts as retained for Government purposes as declared by Plaintiff -

The survey account filed has two such items; the former consisting according to that document of 19 Goontas, 6¾ annas. and not 22 7/16 Goontahs as stated by Defendant in his answer, and the latter of 4 Goontahs and 2 annas. But it is not sufficient to show that there are such items; but that the spots of ground in dispute were severally included in those very items.

As the Plaintiff was not very clear in his pleadings as to whether he allowed or denied that they were so included; he was directed to give by motion a distinct answer on the subject. He did so: allowing that the three spots in dispute formed part of the land deducted under the several heads of Kalur Perum-bokè and Kotay Mundaraly Perumbokè.

Had Plaintiff answered in the negative Defendant must then have proved by either documentary or oral evidence, (what Plaintiff by his admission renders unnecessary) that they were included under those two heads

It only remains for the Court to notice the 8th Ground on which Plaintiff rests his Claim, as far as the argument goes the Court coincides in opinion with the Plaintiff that where possession confers no right, when it can be shewn that that possession was from the first illegal -

Claim dismissed with Costs -
Costs incurred by the Plaintiff -
Value of Stamp Papers - 31-8-
Batta for summons Peon - 1-8-
Pleaders fees - 13-5-7
40-5-7.
Costs incurred by the Defendant -
Value of Stamp Papers - 11-0-
Pleaders fees - 13-5-7 24-5-7
Total - 70-11-2.
Deduct
Cost already paid by the Plaintiff 46-5-7
Balance - 24-5-7

Given under my hand and the Seal of the Subordinate Court at Salem this 8th day of June 1844.
Sealed and signed on the 2d July 1844 -

Term for making appeal expires on the 2d August 1844

(Signed) E. Story
Acting Subt Judge -
A true Copy (Signed) H. E. Lockhart
Collector

Ordered

Order thereon (40-41)

Ordered that copy of the foregoing letter and its Enclosure be submitted to Government -

To

C. C. Lovell Esqre
Acting Secretary to the
Board of Revenue
Fort St George

(42)

Sir,

From the Pr Coll of Salem — Forwarding copy of an Arzee received from the Government Vakeel regarding the case entered by Mr Fischer against the Principal Collector

I have the honor to forward copy of an Arzee received from the Government Vakeel suggesting the propriety of applying for a review of the decision given by the Subordinate Court at Salem in the case entered by Mr. Fischer against the Principal Collector in consequence of his preventing him from appropriating the ground belonging to the Salem Fort -

The Board will see from the Decision passed in Original Suit No 274 of 1842 forwarded with my letter of 27th Ultimo that the Opinion of the Court now is that its decision passed in No 203 of 1841 is incorrect, and that the ground which was then decreed to the Mootadar ought to have been given to Government, so that there is little doubt that a review of the case would set aside the former decision. I have however a doubt whether this case can be sent for review in consequence of its appeal having been admitted in a Superior Court

Court which would appear by Clause Second Section VI Regulation XV of 1816 to be a bar to this mode of proceeding—

I solicit the Board's instruc=tions on this part for my guidance—

Salem Tillah.....
Ossoor,
Prin.l Collectors Cutcherry
1st August 1844.....

(Signed) J. D. Gleig
Principal Collector

(True copy)
(Signed) W. E. Lockhart
Collector

42-43

Order thereon

Ordered to be recorded—

To E. C. Lovell Esqre
Acting Secretary to the
Board of Revenue
Fort St George

44

Sir,

From the Collr of Salem. 1. In conformity to the instructions conveyed in your letter of 25th May 1843, I have the honor to forward for the information of the Board a Statement shewing the number of Enam Villages in the Salem District and particularizing those in which the Moturpha and Loom Taxes are collected—

Forwarding a Statement shewing the number of Enam Villages in which Moturpha and Loom Taxes are collected either by the Circar or Enamdars and reporting the nature of the Summuds held by them.

2. From this Statement it will appear that of the total number of Enams amounting

amounting to 91 Villages, no Moturpha or Loom Tax is collected in Sixty one and that in the remaining 31 the Moturpha and Loom tax in 20 is collected by the Enamdars. In 7 the Enamdars collect the Moturpha, and the Circar the Loom tax and only in 4 does both the Moturpha and Loom tax belong to the Circar—

3. Of the 20 Villages in the full enjoyment of the Enamdars, 6 have Summuds and 9 Puttahs of Colonel Macleod in which the right of the holder to Moturpha and Loom Tax is specified. 3 hold Summuds in which this right is not entered, but which the possessor has for a long time been in the enjoyment, and 2 have no Summuds or other document to produce but where the Enamdar has been in uninterrupted possession for a long series of years—

4. The Summuds produced by the Jaghiredar is of no very old date, being made out in 1759, and it does not appear to have been either for services performed, or from any other cause, which procured him the favor of the ruling power. In the time of the Native Government it was usual to give Villages in Enam on the payment of

ten

Fort St. George 27th November 1815

ten years revenue down at once and this
appears to have been the way in which the
Jaghire of Ammapolliem was obtained, for
in the Summuds the yearly Beriz is stated at
1456 Gopalee Chuckrums and the payment made
was 1456 of the same Coin under these circum-
-stances as the affair was one of purchase and
sale, it is rather surprising how so imper-
-fect a document as the Ammapolliem
Summud appears to be, could have passed from
the Official authorities of Hyder's Government,
if it was intended to give him more than the
usual Village Collections.

5. It is difficult to say what
a Survanamem confers in some Summuds, no
specifications are made, in others all that
is gifted is duly entered, sometimes
including Sayer Collections and others
having no connection with the
land.

6. It does not appear that
compensation has at any time been
granted to Enamdars in Salem as an

equivalent

Fort St. George 27th November 1815

equivalent for the pursvilege of Collecting
Moturpha and Loom Tax.

Salem Hillah,
Ofsoors
Ist Coll.rs Cutcherry
9th August 1815

(Signed) Ju. D. Gleig
Principal Collector

(True Copy)
(Signed) W. C. Lockhart.
Collector

Statement

27th November 1845.

Salem and the amount paid to the Enamdars.

Particulars made by the Enamdars.			Collections to the circar and Enamdars from ain Moturpah and Loom Tax								
Beriz						Total					
Loom Tax	Total		Mou=zahs	Ain Moturpha to the Enamdars		Loom Tax to the circar			Total		
12	13		14	15		16			17		
	4	14									
	32										
			1	49	11	129	15	9	179	10	9
			1	49	11	129	15	9	179	10	9
	32		1	49	11	129	15	9	179	10	9
	13										
	13										
			1	72		40	10		112	10	
			1	12		5	8		17	8	
			1	13		67	8		80	8	
			1	32		202	6		234	6	
	14	3									
	2	6									
	5	15									
	10										
	32	8	4	129		316			445		

10458

Fort St George

27th No

Particulars (Contd)

To the Circar				To the Enamdar							
Ain Moturpha	Loom Tax	Total		Ain Moturpha	Loom Tax	Total		Ain Moturpha		of the Villages	Mottal
18	19	20		21	22	23		24			25
				4 14		4 14		4 14		moondiaggrahar	7 4
				32		32		32		illy aggrahar	
	129 15 9	129 15 9		49 11		49 11		49		hoolly aggrahar	
	129 15 9	129 15 9		81 11		81 11		81		mpoondy aggrahar	
14	66	80								galputty	7 4
				13		13		14			
	44 10	40 10		72		72		72		rgoodul	
	5 8	5 8		12		12		12		nandacoopum	
	67 8	67 8		13		13		13		lahully	
	202 6	202 6		32		32		32		r	
				14 3 8		14 3 8		14		lahully	
				2 6		2 6		2		nahully	
				5 15		5 15		5			
				10		10		10		itty	
	316	316		161 8 8		161 8 8		161		ichah	
										ully called Mollah-	
4	67	4 67						4		putty	
										tampoorum	
										rumpully	
										rrumpully	
										Total	3 14 9

ted the 11th Rumzun Hizree
Moturpha collection being
njoy it for a long time—
nted by Collector McLeod
said Copy that the Enamdars
time—
Fusly 1207 / A. D. 1797-98)
dars are to enjoy the
the 17th October 1842 the
are in Deposit from Fusly
25th May 1843, it does not
hiredar—
He is absent from the
kept in deposit and
known whether a Summud
of the Church Moturpha
June 1801 by which it
ich they are so enjoying

1045

Fort St George

27th November 1845.

Particulars collection made by the Enamdars

Collections to the Circar Beriz

Collections to the Circar and Enamdars from Ain Moturpha and Loom Tax.

Ain Moturpha	Mouzahs	Ain Moturpha	Loom Tax	Total	Mouzahs	Ain Moturpha	Beriz Loom Tax	Beriz Total	Mouzahs	Total Ain Moturpha to the Enamdars	Total Loom Tax to the Circar	Total
1	6	7	8	9	10	11	Loom Tax 12	Total 13	14	15	16	17
									1	12	16 8	17 4
					1	27		27				
					1	2		2				
					1	1 9		1 9				
					1	14 3		14 3				
					4	31 7 3		31 7 3	1	12	16 8	17 4
14					1	1 8		2 1 6				
					1	9 6		8 1 6				
					1	9 6		9 6				
					1			5				
					1	10		10				
					1			7				
					6	3 5		23 6 6				
	1	3		3					1	1 8	10 8	12
	1		1		1							
					1	4 11		7 11				
	2	3	1	4	2	4 11		1				
					1			8				
4	21	6 7	67	88 7	20	109 10 11		1				
								1				
								25 1 6	134 12 5	7	180 15	472 15 9	653 14 9

10400

Fort St. George

Particulars (Cont.d)

To the Circar			To the Enamdars			Total		
Ain Motumpha	Loom Tax	Total	Ain Motumpah	Loom Tax	Total	Ain Motumpha	Loom Tax	Total
18	19	20	21	22	23	24	25	
	16 8	16 8	12		12	12	16 8	
			27		27	27		
			2		2	2		
			1 9		1 9	1 9		
			14 3		14 3	14 3		
	16 8	16 8	32 3 3		32 3 3	32 3 3	16 8	
			1 8	96	2 16	1 8	0 96	
			6 96	7 8	8 16	9 6	7 8	
			9 6		96	9 6		
			5'		5'			
			10		10	10		
				7	7		7	
			3 5' 6	20 16	23 66	3 5'	20 16	
	10 8	10 8	1 8		18	18	10 8	
						3		
	1	1						
			4 11	3	7 11	4 11		
				1	1			
	1	1	4 11	4	8 11	4 11		
				1	1			
216	539 15 9	561 64	290 9 11	25 1 6	315 11 5	312 6	565 13	

Ofsoor, 9th August 1844

27th Nove

Total

Loom Tax

25

16 8 — ctions are made by the
— lage and 3 others
— rfore enjoying the
— ha added Loom Tax
— Vijsoovupoo Month of
— e are to be enjoyed
— —

16 8 — to the Motumpha

— 9 6 — Vizzi 1156 corres=
— 7 8 — es being enjoyed
— — — by him
— 5' — ses are built, tax
— — —
7 — — zi 1156 by which
20 16 — 1820. 21/ the Loom

10 8 — i 1152 corresponding
— — — he is enjoying both.
— — — for a long time
— — — akroatoo 2d Day.
1 — — zoor Natrumpully
— — — however is made
3 — — D. 1821. 22/ a Loom
1 — — A. D. 1839-40/ there
— — — d collected by the
— — — Enamdar
— — — circar and on a
1 — — th Crawly the then
— — — 1828 directing the
565 13

Order thereon

(44-45)

Ordered to be recorded.

To C. C. Lovell Esqre

Acting Secretary to the

Board of Revenue

Fort St. George

Sir.

From the Pt. Collr of Salem.

(46)

I have the honor to forward for the Board's information Copy of correspondence received from the Sub collector, and with reference thereto request the Board's instructions as to their intention regarding the relinquishment of the Moturpha taxes, by their proceedings dated 2d March 1812. To me the meaning of the orders then issued appears as it does to the Sub Collector to have been the seperation of the Moturpha collections, from those of Land revenue, but not the abandonment of the Moturpha altogether. I solicit the early orders of the Board on this subject to enable Mr. Brett to regulate his proceedings thereby in the Village of Colavundoor.

Salem Zillah Office
Pt. Collrs Cutcherry
12th September 1845.

Signed J. D. Gleig
Pt. Collr.

To

No. 1.

To J. D. Gleig Esqre
Principal Collector of
Salem.

Sir,

I have the honor to transmit Copy of a letter which was addressed by me direct to the Collector of Trichinopoly as the information to which it referred was required as quickly as possible, with Copy of the Collectors' reply and its enclosures.-

Dated 22d April 1844.

* 21 May 1844.

you will observe that Para 8 of the Collectors' letter is a reply to Para 3 of my letter requesting to be informed whether any authority had been granted for discontinuing taxes on looms shops &c. from Fusly 1242 to 1252, but on referring to the Boards' proceedings referred to in this reply, I am led to think that these proceedings relate only to the exclusion of personal and professional taxes from the permanent Settlement, which was formed under Regulation XXV of 1802 and conveys no authority for discontinuing the Collection of such taxes as separate items of Revenue I must therefore request you will furnish me with further instructions and to state

* Dated 2d March 1812.-

state whether such taxes are to be imposed or not for the future in the Village of Oroovundoor.-

I beg also to know in what way the akkarry rent is to be managed in the said Village of fusly 1254.-

Salem District-----
Paramutty Talook---
Coodoodoray Sub Coll.rs.
Circuit Cutcherry----
11th July 1844

/Signed/ H. A. Brett
Sub Coll.r.

No. 2.

To A. D. Onslaw Esq.re
Collector of
Trichinopoly

Sir,

+Dated 28th Feby. last.

With reference to your +letter to the acting Principal Collector of this District forwarding certain Documents connected with the Village of Oroovundoor, I have the honor to observe that the Rukumnamah transmitted with the other papers is for the "Dry Talooks" and to beg therefore you will send me a Copy of the Rukumnamah applicable to wet Cultivation.-

I must also request if it is not explained in the Document I am now applying for, that you will inform me on what principle in former years the amount of remission to be made either on account of failure of Crops or for waste land has been determined, for this is not to be understood from the accounts now in

in hand.- It only appears from the Dowle accounts that permission at the rate of 12 percent on the gross Cultivation was made in fusly 1231, and in other fuslies some times full some times one half some time three parts V.ca of the Assessment or waste lands, while premously to fusly 1252 no remission is found to be entered expressly for failure of Crops.-

I beg also to be informed whether any authority has been granted for discontinuing taxes on looms shops, Oil presses V.ca from fusly 1242 to 1252 no taxes of this kind are entered, but in fusly 1251 such taxes appear under the Head of "Koornadayem" or ready money Collections and 2dly whether Rs. 24-8-0 paid hitherto to this District as "Veerculy" has been usually deducted from the ready money Collections of the Village since the mode of bringing this item to account is not apparent.-

Salem District.-
Puramutty Talook.
Valavundray Sub-
Coll.rs Cutcherry.-
22d April 1844.-

/Signed/ H. A. Brett
Sub Coll.r

To H. A. Brett Esq.re
Sub Collector of Salem

Sir,

1.- I have the honor to acknowledge the

the receipt of your letter of the 22d ultimo upon the subject of transfer of Oroonundoor.-

2. I regret to state that it is not in my power to comply with your requisition for a Copy of a Cultivation Hookumnamah for the wet lands- no document of that description being extant- I will however endeavour to give the information you require and I would suggest that our Sheristadars should communicate with each other should there be any points in the accounts about which your Cutcherry may have doubts.-

3. The Assessment of the wet lands was formerly made on the Crops actually cultivated- In fusly 1231- a reduction of 12 percent in the rates of the Crops was made and the Assessment fixed on the land- the basis of the Assessment being the Crop actually cultivated in that fusly- From the accompanying Copy of an Istiarnamah published at the time you will perceive that it was provided that thence forward a change of Crop was not to be followed by any alteration in the rate of Assessment except as regards the Vampire Crops, and that the demand for the Salady was never to exceed or fall

1646 Fort St. George 27th November 1845

fall below the extent then under cultivation- But as regards the Salady the Board in fusly 1243 directed that remissions should be made for the non cultivation of the 2d Crop and an increase in the demand for its cultivation in one Crop land- a Copy of their orders is transmitted.-

4. In practice the remission on account of the Cultivation of the 2d Crop and of waste lands has been very irregularly made and entirely at discretion according to the ability and circumstances of the Ryot.-

5. In regard to Shavy and Malapaul the rule was observed of making no remission on portions of fields and unless the amount exceeded 5 percent of the demand no remissions on account of shavy were allowed on Poovasy Crops- whenever remissions do not appear in the accounts it is to be presumed that the necessity for making

Fort St. George 27th November 1845

making them did not exist.-

6

Lands rated in Fusly 1231 as Poovasy are not charged as higher assessment when cultivated with Nunjay Crops but they are considered liable to the Vampyre assessment when cultivated with Vampyre Crops.-

7.

The Putcut Poonjah lands are not liable to any increased rate of assessment except when watered by Circar irrigation Channels-

8.

The authority for discontinuing the taxes on looms &c. will be found in the accompanying Copy of a Communication from the Board of Revenue

9.

From the Correspondence in your office you will perceive that the annual payment of Rupees 24-8-0 was a mere transfer from the Treasury at Trichinopoly to that of Salem from the General Collections in Aroovundoor.-

Trichinopoly District-
Appavanullor -----
Coll's Circuit Cutcherry
25th May 1844 ----------

Signed A. P. Onslow
Coll'r

An

1645

Fort St. George 27th November 1845.-

An Extract of the Extract from the Proceedings of the Board of Revenue dated 4th July 1833-

Para 7 In their Proceedings of the Settlement of Fusly 1239 the Board expressed their opinion that lands which in Fusly 1231 when the assessment was revised by Mr. Pushington were classed as Capable of producing only one Crop and were rated accordingly. but which from more abundant supplies of water obtained from public Sources have since become Capable of bearing 2 Crops should be subjected to an additional assessment for the 2d Crop to put them on a level with the lands which at that time were classed as 2 Crop lands- In his report upon the Settlement of Fusly 1240 Mr. Nelson the Acting Collector informed the Board that this measure would be carried into effect in the

Para 12- settlement of Fusly 1241- The Collector now states that the alteration intended was not made in consequence of a proclamation having been brought forward issued by Mr. Dickinson under date the 7th May 1828 whereby the Ryots were allowed to enjoy full advantage of the 2d Crop Cultivated by them beyond the Dittum of Fusly 1231, Mr.

Para 59- Dickinson in his report upon the Settlement of Fusly 1239 requested permission to revert to the principles established by Mr. Pushington referring

to

to his proclamation a translation of which he submitted - The Board accordingly directed that

Boards Proceedings 20th December 1827 Para 9.

the rates of Fusly 1231 settled by Mr. Lushington should be adopted implicitly - Mr. Dickinson it appears understood Mr. Lushington to have promised by his proclamation that any land whatever which in future might by any means be Cultivated with 2 Crops beyond the extent of land bearing 2 Crops in Fusly 1231 should be exempt from assessment on account of the 2d Crop and that he had abolished the 2d Crop assessment altogether - Mr. Cameron his successor in his report upon the settlement of Fusly 1239 shewed clearly that Mr. Dickinson had mistaken Mr. Lushington's plan in respect to lands classed as bearing 2 Crops in the accounts of Fusly 1231 but he thought that Mr. Lushington "did abolish the teerwah on the 2d Crops" thus far "He determined that the amount of land entered as capable of yielding two Crops in Fusly 1231 should be considered the Dittum of a Village and that any land there after brought to yield 2 Crops which formerly yielded but one, should not be assessed proportionally higher in consequence" Mr. Cameron however appears to have thought that there was no objection to the imposition for an additional assessment upon lands brought to yield a 2d Crop by means of works of irrigation constructed

Para 10.

16461 Fort St. George 27th November 1845.

constructed at the public expense Mr. Blair the present Collector observes that "there appears no ground whatever to suppose that Mr. Lushington intended to exempt the 2d Crop of the wet lands from assessment,

23. Octr. 1832.

& It is clear from the accounts of the Villages of Goodaloor and Comaramungalam submitted by Mr. Lushington himself as examples of the plan which he had followed in the revision of assessment that the separate rates upon the 1st and 2d Crops were kept distinctly in view, and in the accounts of the settlement made by himself in Fusly 1232 upon the rates settled by him in the preceding year the one and two Crops lands are entered separately and among the Changes therein exhibited are transfers of land from the head of "1st Crop" to that of "2d Crop" and vice versa and the difference of teerwah in the 2d Crop is distinctly brought to account - The Board can find nothing in any of Mr. Lushington's reports from which it was to be understood that he meant to give a Dittum of Cultivation in respect to the 2d Crop lands particularly with reference to the accounts of Fusly 1231, and the proclamation published by him does not appear to them to convey that meaning. There is no particular reference in it to 2 Crops and the passage in which it is intimated that the Circar will

will not interfere with the Crops that may be Cultivated seems to relate to the kind and not to the number of crops alluding to the practice which had obtained and was then abolished of assessing the land according to the species of produce. This is the Construction which the present Collector puts upon the passage in question and the Board learn from that it it is also understood by his Cutcherry servants and the meerasidars whom he has Consulted- a literal translation of the proclamation made in the Collector's office is annexed to these proceedings Judging from Mr. Pushington's reports and the obvious tenor of the proclamation it was no more to be supposed that he intended to exempt the land that should be newly Cultivated with a 2d. Crop from the usual additional assessment than to exempt the land that should be newly brought into Cultivation from the ordinary tax.-

9 The Board therefore conclude in accordance with the opinion of Mr. Blair that Mr. Dickinson misunderstood the principle of Mr. Pushington's settlement and that he was not warranted in issuing the proculamation dated 7th May 1828- They are of opinion that Mr. Dickinson's proclamation which was published without authority should be annulled and that all lands Cultivated with 2d. Crops over and above the extent so Cultivated in Fusly

10401 Fort St. George 27th November 1845

Fusly 1231 (which appears to have been assumed as the Dittum) and which were then rated and assessed as one Crop lands should be assessed for the 2d. Crop in due proportion to the rated fixed upon them as one Crop lands unless where the Meerasidar makes it appear that the land has been rendered Capable of bearing a 2d. Crop by the improvement of the Channels of irrigation the Construction or repair of reservoirs or other works for the purpose of irrigation at his own expense.-

10 With reference to the observation of the Collector in para 21 that the Ryots Complain of being obliged to pay Peervah for land entered in the accounts as two Crop land which from Change of Circumstances is now only Capable of producing one Crop the Board remark that on the same principle that an additional tax should be levied on land assessed as one Crop land which from Change of Circumstances has become Capable of producing two Crops the settlement should be made in such Cases after deducting the assessment upon the 2d. Crop or rather such a proportion of the aggregate assessment as shall Compensate for the difference

to

Fort St. George 27th November 1845.

to the cultivator. In making this adjustment it is necessary to bear in mind that land which is cultivated only once in the year is likely to produce a larger Crop than the 1st Crop when two are raised. The remission allowed for the 2d Crop should therefore be just so much as will reduce the Assessment to a level with that settled upon one Crop land of like quantity.

/True Extract/
/Signed/ A. D. Onslow
Collector

Extract from the Proceedings of the Board of Revenue dated 2d March 1812.

Para 13.

It has been laid down as one of the principles of the proposed Settlement that it shall be formed exclusively of all personal and professional taxes, Licenses, as House and shop taxes, and of every species of Revenue independent of the immediate produce of the soil as well as exclusive of Cranes &c.

14. The Board have reason to believe that the Collector in the Northern Division of Arcot has not attended to this principle or rather that he has attended to it only very partially, for from his Puttahs (with Copy of one of which the Board have been furnished) it appears that with the exception of Cranes &c. 4

alienated

1641

Fort St. George 27th November 1845.

alienated lands the only item of which the exclusion as specified is the Revenue from Arrack and Toddy.

15 It was no more necessary to specify the exclusion of Arrack and Toddy than to specify the exclusion of the Revenue from Salt Customs, or any other distinct branch of the Revenue. Arrack and Toddy is farmed separately is classed in the Revenue accounts under the general Head of District Taxes or Licenses is collected separately from and has no connection with the land Revenue, what the Board chiefly referred to as proper to be excluded from the permanent Rent were those Items or some at least of those Items usually classed in the Revenue accounts under the head of Village Taxes and hitherto in general collected along with the land Revenue.

16 Whether the taxes to which the Board particularly allude be called House Tax, house rent Shop tax, loom tax Ready money collections or by other equivalent

native

Fort St. George 27th. November 1845

native Terms Inatumsha, Soornadayen, Vessabuddy they are evidently personal or professional - and appear in a great degree to partake of the nature of an income Tax upon Merchants Traders, Manufacturers Craftmen and generally all (some privileged classes excepted) who do not like Cultivators of the soil contribute in some other shape to the support of the state.

17 The Regulations and the Summud ie milkut Istimerar expressly declare "that the permanent settlement is exclusive of Taxes personal and professional as well as of those Markets, Fairs, and Bazars." These are precisely the taxes of the description above referred to and there can be no doubt of the propriety of excluding them from any permanent settlement of the Land Revenue.

/ True Extract /
/ Signed / A. B. Onslow
Collector

/ True Copies /
/ Signed / H. A. Brett
Sub Collector

/ True Copy /
/ Signed / W. E. Lockhart
Collector

Fort St. George 27th. November 1845

Order thereon - Ordered to lie on the table.

(46-47)

To

E. le. Lovell Esqre.
Acting Secretary to the
Board of Revenue

Sir,

Fort St. George

From the Sc. Collr. of Salem - - - - - } With reference to your letters of the 8th. Ultimo and 23d. Instant

(48)

calling for a report as to the progress which the cultivation of the Mauritius Sugar Cane has made in this District, I have the honor to state, that I am prevented from submitting my report from the non receipt of information from the Tahsils of Raizepoor, which has again been called for. Raizepoor is much in want of a Tahsildar.

Salem Zillah - -
Ossoor - - -
Prin. Collrs. Cutcherry
30th. September 1844

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

/ True Copy /
/ Signed / W. E. Lockhart
Collector.

(48-49)

Order thereon - Ordered to be recorded.

To

1643

Fort St. George 27th November 1845

To

E. C. Lovell Esqre.

Acting Secretary to the

Board of Revenue

Fort St. George

Sir,

From the Pe. Coll. of Salem

50

I have the honor to acknowledge the receipt of Extract from the Proceedings of the Board of Revenue dated 23d. September and to inform you for the Board's information that in consequence of most of the trees formerly received and which were distributed to parties holding lands on the Sherwaroy Hills having failed, I have with the present supply taken a lower elevation and placed them in the garden at Darumpoory. As yet, with the exception of four, all are getting on well.-

Salem Zillah -
Office - - -
Pe. Coll's Cutcherry -
1st October 1845 -

Signed J. D. Gleig
Prin. Collector.

True Copy
Signed W. E. Lockhart
Collector

50-51

Order thereon. Ordered to be recorded.

To

1644

Fort St. George 27th November 1845.-

To E. C. Lovell Esqre.

Acting Secretary to the

Board of Revenue

Fort St. George

52

From the Pe. Coll. of Salem

Reporting on an appeal Petition No. 1805 of 1843 from Narrain Row late Sayer Ameen of Office

Sir,

With reference to your letter of the 6th. May last forwarding an appeal Petition from Narrain Row late Sayer Ameen of Office Cuzbah and directing to report the particular circumstances which led to his dismissal from Office, I have the honor to state that the circumstances attending the dismissal of the Petitioner are as follows- He was reported by the late Sayer Superintendent to have in Conjunction with the Nevasundah and Shroff, made no entry in accounts of certain Collections on Betel nut in Garden lands, that they did not according to rule collect duty on goods coming from Oodenhully and Shoolagherry, but contracted to receive from the Merchants small sums Monthly, and that even such Collections were not carried to account- They were therefore suspended by the late acting Principal Collector, on the 25th. March 1843, and on an Examination held by him it was proved that the Petitioner and Shroff did make Monthly Collection from the said Merchants instead of Collecting from them on the spot the usual duty on goods brought by

Fort St. George 27th November 1845

by them for sale at the weekly fairs held at Oodenhully and Shoolagherry. Besides this no Collections appear to have been made at Shoolagherry in October and June of Fusly 1251. and at Oodenhully in from September to November of the same fusly. Though there was no proof of their having appropriated the said Collections yet there was reason to conclude that they did so as the Merchants deposed as to their having given a Monthly sum to The late acting Principal Collector whereupon on the 14th July 1843 dismissed the Petitioner and Shroff, the discharge having effect from the date of suspension. There being no proof against the Devasi=dah, he was merely removed to another Chow Key. —.

Salem zillah Opoor, P. Coll. Cutcherry — 3d October 1844. — } /Signed/ J. D. Gleig P. Collr.

Order thereon —

(52-53)

To E. C. Lovell Esqre

Acting Secretary to the Board of Revenue Fort St. George

(54)

From the P. Coll. of Salem — } Sir,

With reference to Para 3 of the Extract from the Boards' Proceedings of the 2d ultimo, I have the honor to forward Copy of my letter to the Board under date the 15th January 1843 together with its enclosures from the Sub Collector regarding the reductions

Forwarding Copy of his letter to the Board dated 15th January 1843 regarding the reductions claimed by the Poonjah Edaar Hamlets.

Fort St. George 27th November 1845

reductions claimed by the Poonjah Edaar Hamlets. —

Salem zillah Opoor, P. Coll. Cutcherry — 31st October 1844 — } /Signed/ J. D. Gleig P. Collr.

No. 1.

To J. D. Bourdillion Esqre Secretary to the Board of Revenue Fort St. George

Sir,

I have the honor to forward for the Boards' information Copy of a Report received from the acting Sub Collector, relative to the instructions contained in the Extract from the Boards proceedings dated 28th October 1841. The changes which have taken place in the appointment of the sub Collectors since the Boards' orders were received have been the occasion of considerable delay. —.

+ dated 12th Octr 1842.

It appears that there are 36 Villages watered from the Cauvery either direct or by surplus Channels of which 6 are Jodeyy Villages 2 are Enam, 11 are Villages belonging to Mootahs, now in possession of the proprietors, leaving 17 Villages under Amany Manage=ment, of these reduction of assessment has been made in 9 and of the other 8, four do not require reduction, two being lightly assessed, and two having no Punjah land. the only Villages therefore said to require

require reduction are those which have formerly been brought to the Boards' notice- Viz^t Coodoothory Conge pollicm Catamara=pollicm Olapady.—

I regret I cannot give more satisfactory information relative to the mode in which the revenue was realized in these Villages when under Mootahdary tenure, having only been able to procure the account of two years, Viz^t Fuslies 1228 and 1229 (A.D. 1818-19 / 1819-20) and from these little is to be learned the remissions being very unequal in the Villages for these two years and no data being found to lead us to know by what rule or in necessity the particular amount was fixed, or the particular lands for which it was granted- In fusly 1228 there were 11 Cultivators in Coodoo thory, having each both Nunjah and Punjah Cultivation, to only three of whom remission appears to have been made, to one at the rate of Rupees 3-1-6 per Cent on his cultivation, to another Rupees 10-6- and to the third Rupees 34-1- this is the percentage on the whole of their

	Fusly— 1228— Remission per centage on demand Rs a P	Rs- a- P	1229— Rs- a- P	
Coodoo thory	6-8-8	23-14-2		
Colapady	6-15-7	7-12-11		
Catamara pollicm	15-7	1-10-10		
Conge pollicm	" " "	" " "		

their cultivation, but if the remission was made on the Nunjah cultivation only the percentage deduction would respectively be Rupees 4-4- Rupees 19-"-" and Rupees 55- In the accounts of 29- the result is the same, and this does not look like a remission on account of over assessment- I am as little able- to give the Board any correct information of the principle which the suspended collections were apportioned by Mr. Cockburn, but from the accounts I suppose that in granting the remissions there given, he was guided by the deductions formerly made in the Village of Nunja Ediar- The Pymash accounts do not shew as suggested by the Board the settlement whether on one or two Crop land- but that the teerwah was fixed with reference to land yielding two crops the amount thereof I think leaves no room for doubt.—

The Statement in Window=vee shewing the extent of Ayacut, the extent under cultivation and the total waste in the Amany Villages, irrigated by Channels from the Coleroon in conformity to the Boards' request is herewith sent.—

Assessment

		Acres	Assessment per acre as Rs a p	Annady Jirsoo- A	G	A	Total- A	G	A
Ayacut-	Reduced Assessment	1941	16 1	24671	7 1	12 11 4	7	13 12	1948 29 13
	Proposed Reduction	95	30 13	1073 1	"	11 3 3	"	" "	95 30 13
	Total	2037	6 14	25744	8 1	12 10 2	7	13 12	2044 20 10
Cultivation	Reduced Assessment	1920	22 3	24502	5 10	12 12 1	"	" "	1920 22 3
	Proposed Reduction	55	30 9	677	3 3	12 2 4	"	" "	55 30 9
	Total	1976	13 "	25179	9 1	12 12 3	"	" "	1976 13 "
Waste lands	Reduced Assessment	20	33 14	169	1 3	8 1 9	7	13 12	28 7 10
	Proposed Reduction	40	4 "	395	13 9	9 14 4	"	" "	40 " 4
		60	34 2	564	15 "	9 4 6	7	13 12	68 7 14

From

From the above the Board will observe that of the ayacut land of the Villages on which a reduction of assessment has taken place, amounting to acres 1,941-16-1 Cultivation has been made to the extent of acres 1920-22-3 leaving only acres 20-33-14- waste, whilst in the Villages in which a reduction is proposed, there are acres 40-"-4- of waste land in an ayacut of acres 95-30-13- of which 38 acres lie in the 4 Villages where reduction was recommended, which appear only to have been left waste since the dispute about the right to water from the Komara-pollium Channel.—

Statement of sums expended on the repairs of the Cauvery Channels accompany this, the Channel leading to the Coodoothory Villages is reported in good repair. I hoped to have received from the Civil Engineer a report on the state of these Channels long before now, his other duties appear to have prevented this.—

I regret that Mr. Brett has not managed to take an average of the produce of the land claiming remission, as this is the only true data on which their value can be estimated, but from the examinations he has made, there

Fort St. George 27th November 1845

there appears to me sufficient to shew that there is no loss in cultivating the above-mentioned lands, though there may be less profit than from the lands where remission has been given for laying aside his statement of profits which appears too vague to be depended on, — there are other circumstances which would induce me to adopt as the above stated opinion — 1st The people no where complain that the ground does not yield a remunerating return, but they merely state, that they claim the same as has been given to others — 2d Ground is stated by Mr. Brett to have been sold in the two Villages since this claim for remission was made, Viz.t Acres 3-22-14 in fasly 1255 in Coodoothory the teerwah of which was Rupees 58-5-3 and the price it brought, is stated to have been Rupees 70 — The other Village in which a sale took place was in Conjepollium where in fasly 1248 — acres 2-16-1. teerwah Rupees 27-6-9 — is stated to have brought Rupees 64-13- these are not large prices but they tend to shew that the land yielded something more than a return for labour

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labour — The Tahsildar also in the urzee Decem-ber 19th explains the cause of so small a por-tion of land being disposed of to be that in there is only a small portion of Kunjah land in the Villages that the ryots are numerous and wealthy and those who hold the wet lands have not sufficient for themselves, that there would be many purchasers, but no one is disposed to sell — no better account could be given of the flourishing state of the Village — The parties also who were examined befor the acting Sub Collector do not consent to relin-quish the lands requiring remission, so that others may cultivate which, were they unremunerating they would be willing enough to do — On the whole I am of opinion that there is no cause for reduction shewn, and would re-commend that the parties should be made acquainted that the full assess-ment will hereafter be levied, and that where the Collection would not press too hard on the ryot that the suspended Collections should be called in — If any of the people do not consent to hold the land on these terms they may give it up to be cultivated by others — Mr. Brett alludes to a plan of giving the Coodoothory ryots a supply

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supply from the Comarapollium channel he does not state how this is to be effected, but appears to fancy that all the sources of irrigation are at the disposal of the Government- this subject however requires further enquiry, it appears a difficult matter to accomplish, when the Comarapollium ryots hold a decree of Court, disallowing the rights of the Coodoothary Villagers to the water they are anxious to possess.—

Salem Zillah Office,
Coll^{r} Cutcherry---
15th January 1843---

/Signed/ J. D. Gleig
Pr Coll^{r}

No. 2.

The Principal Collector of
Salem—

Sir,

Para 1. I have the honor to transmit certain account required by the Board of Revenue in their Proceedings dated 28th October 1841 Copy of which was forwarded with your letter dated 24th November last.—

No. 1. is the Kendooree Statement called for in the 14th Para of the Board's Proceedings- This Statement being confined to such Villages as derive their supply of water either from a Channel running direct from the Cauvery River, or from a surplus Channel, in the Paramutty Talook.—

No. 2. & 3. are the Statements required

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required in Para 15 of the Board's Proceedings—

No. 4. is the account required in Para 16—

No. 5. is an account of the money expended in repairing the surplus Channel for conveying water running from off the lands of the Village of Vengari Pond munglum, Podoopollium, Ediar, and Peroonalanama Samoodrum &c^{a} which are irrigated from a Channel running direct from the Cauvery River to the Village of Comarapollium in the Namkul Talook. as this Channel passes thro' the Village of Coodoodoray and the other three Villages in which a reduction of the assessment has been applied for, and it is proposed in this report to afford some of its water to those Villages, this statement though not called for is submitted.—

2. In respect to the subjects adverted to in Para 14 of the Board's Proceedings, I beg to state, that the assessment was made apparently on two crops, both in the Villages in which Mr Hargrave reduced the assessment, and in all the other Villages, and two crops continued to be

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be the usual produce, but in original survey accounts, affording information as to the data on which the assessment was made in the Village of Coodoodoray and the other 3 Villages can be found, there being no accounts to shew either the quantity of produce, its estimated Value, nor what was taken as the Government share.—

3.

As to the mode in which the Revenue was realized under Mootah=dary tenure, it appears from the state=ment of the Curnum of the four Villages as reported by the Tahsildar of Paramutty that the money rate of assessment fixed at the Survey was collected in some years by the Mottahdar, and in some years a small remission was made.—

4.

In regard to the prin=ciples on which the collections were suspended without authority it has been already reported, that a remission was allowed by Mr. Cockburn in fusly 1234 and continued until fusly 1243, when it was disallowed by the Principal Collector on discovering that it had not been duly sanctioned. In fusly 1243 it appears that the Ryots having refused to take the Pattahs in

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in which the full assessment had been in=cluded were told that the sums hitherto remitted would be left uncollected for that year only, and the amount so left was afterwards remitted under the Board's sanction in fusly 1245. In fusly 1244 the full assess=ment was again brought to account, but the Ryots having persisted in their re=fusal to pay the difference, the Sub Col=lector requested the opinion of the Princi=pal Collector whether the property of the defaulters should be sequestered, and in=answer was instructed to forward a Statement in English of the different descriptions of land under cultivation by the Ryots, shewing the collection and balance &c. and submit his opinion on the Subject. On this the Sub Collector forwarded the required Statement, and stated that no attempt would be made to collect the balance till the receipt of further instructions from the Principal Collector, and no an=swer having yet been received to the above the matter having been submitted to the Board, the balance has continued uncollected from fusly 1244 to 1251, a Statement shewing the same being forwarded

each

each year to the Principal Collectors Office.-

5. In respect to Para 11, it appears on reference to the Summabundy records for fusly 1234 when the remission was first made by Mr. Cockburn, that his intention was to have reduced the assessment on all Nunjah lands in the Poonjah Edaar Villages at a uniform percentage of Rupees 24-1-0 and 32-11-10, but this was not done, and it cannot now be ascertained on what plan, if there was any, the very unequal deduction on the different lands was actually made at the same time the disproportion observed in Statement A. annexed to the Board's Proceedings is occasioned partly from the Teerwah on Poonjah land, and on other sources of Revenue being included in the different Puttahs.-

6. as the proper data on which to form a correct Estimate, whether the assessment is excessive or not, and to what extent is not forthcoming I submit translation of a Deposition given by the curnum of the Village of Coodooday Vaa as affording evidence that the two descriptions of Nunjah lands in these Villages Viz. those that are termed "Nadaneer" as being irrigated by

by running water, and consequently bear the higher rate of assessment and those that are termed "yarappoo" as being watered by Pikotahs on which the lower rates are imposed, are both saleable, and from information derived from the people on the spot, and in respect to the price of grain from the public record a statement is annexed to this report shewing the probable rent obtained from these two descriptions of land, supposing the land to be saleable at the sums mentioned, or if they be not rented, the profit to the cultivator.-

7. The whole sale price of grain in the annexed Statement is taken at a low estimate, the average retail price of paddy for the last ten years in the Talook of Paramutty and the neighbouring Talook of Namkul, being Rupees 5-7-0 and Rupees 5-10-0 per Pootty respectively or for 7 years when the fusslies 1242-43 and 44 which were years of scarcity are excluded, Rupees Rs. As. 5-0-0 and Namkul 5-4-0- and the difference between the wholesale and retail being about ½ a Rupee (rather less than more) but notwithstanding it will be observed that the land

land bearing the highest rate of assess=
=ment (16-5-5.) still yields a fair profit
to the cultivator, and the land watered
by Pettahs yields a profit to the
intermediate person who lets out the land
on rent while a profit is derived to
this last person in respect to the
descriptions of lands, when the price of
grain is taken at an average rate
instead of the one made use of which
accords with the present price at a
time when the value of grain is un=
=usually depressed.-

8- It is also to be observed
that in fusly 1249 of the total quantity
of Nunjah cultivated in the Village of
Coodoodoray 10-19-4- of Nadaneer land
only bear the highest, or the original
assessment which was a uniform
rate of Rs. 16-5-5. or thereabout for Nada=
=neer lands the remaining 5-30-5 acres of
Nadaneer has been assessed at a lower
rate subsequently, and of the Yaruspoo
lands 8-15-7 bears the highest as
rate Vizt. Rupees 11-13-1. the remain=
=ing quantity of land 9-27-6 as or
13-8-2 as if the quantity uncultivated
that year be included, has been assessed

at

at a lower rate either subsequently or at
the time the original assessment was
imposed. If the assessment had actu=
=ally been regulated by the quality of
the land, and the lower assessments,
compared with what is given in the state=
=ment in respect to about half these
lands as here shewn, should not affect
the question, but this was not the case,
the lands are of one quality as has been
stated before, or very little dissimilar-

9- It should likewise be stated
that in fusly 1249 there were 47 persons
holding pattahs in the four Villages,
of which only 6 were not immediate
cultivators of the soil, for if it ap=
=peared that the holders of the lands
were for the most part Brahmins and
persons incapacitated from cultivating them=
=selves it might still be proper, tho' it could
be shewn that there was a profit to the
actual cultivator, to reduce the Govern=
=ment demand.-

10- If doubts should be felt as
to the accuracy of the statement in all its
details, at all events the sale prices of the
land is ascertained, and this over estimated, and this
being the case, it is more probable that the cal=
=culation of the profits is too low rather than

too

+ Original rates on "Yaruspoo" lands were three Viz.t Rs. 11-13-11- 9-12-9 8-2-8

too high, as it must be assumed that at the current value of money no person would lay it out on a security which did not yield a return proportionate to what might be obtained by other means. This obvious principle by which the outlay of Capital is regulated, and the amount for which a single acre is saleable, as being considered together, afford the strongest presumption that the reduction is not necessary. If the value of landed security be taken at 8⅓ years purchase the annual profit (the surplus after all deductions) on an acre of Nadaneer land should be Rs. 3-1-11 and on an acre of Yaruppoo land Rs. 3-"-" but the sources of irrigation to the lands referred to, are not so secure, though more so perhaps than if they were irrigated from Tanks, as to render the Value of landed security in these Villages equal to that of money security, from which it follows, that the productive value, which is the point chiefly to be examined into, not the purchase value is in reality greater than is here supposed, in accordance with the shorter period allowed to cover the purchase money

money.- Unless therefore the present
11- amount of produce can be ascertained
by actual measurement and an es-
estimate be made from such infor-
mation of the profits and outlay,
and so the necessity of the measure
directly proved.- I am averse to recom-
mending any reduction: the evidence that
is forthcoming which is 1st the avowed
disinclination of the Ryots to re-
linquish that part of the Village
which bears the lowest assessment,
+Vide Deposition though they should be deprived of it
hitherto enjoyed, 2dly the fact that the
two descriptions of land "Nadaneer" and
Yaruppoo" are both saleable, even if a
proportionate reduction be made in
the estimated price of the Yaruppoo"
+Vide Para 14- lands for the inferior means which
may hereafter be available for irriga-
ting the land, the purchaser being sup-
posed to have been ignorant at the
time of purchase that the usual
source would be withdrawn; 3dly the
fact that none of the lands have been
thrown out of cultivation (at least
till 1250 which another cause led
to their being left uncultivated)
being

Fort St. George 27th November 1845.-

being in favor of the opinion that the whole of the Nunjah lands may yet bear the present rate of assessment, and yield a remuneration to the cultivator.-

12. The people of Coodoodoray also in their deposition, which is now forwarded have virtually admitted that the assessment on the lands of the Village paying the highest rate of assessment is not more than they are capable of paying when they expressed their willingness to pay the same rate for the lands at present bearing the lower assessment, provided means of irrigating the land by running water be allowed.-

13. The above observations referring to the Village of Coodoodaray are also applicable to the three other Villages joined in the Petition, their Nunjah lands, which are very insignificant in extent, being united with the lands belonging to Coodoodaray, watered from the same sources, and assessed perhaps on an average at a lower rate than the lands in Coodoodoray. In the Villages of Conjipollium there

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	acres	gs	as
there is a single spot measuring	1-	6-	12.
assessed at	22-	10-	7

the acre, but even this cannot be more than the land can possibly bear, for it has always been under cultivation.-

14.- The Petitioners did not complain that they were exposed to difficulties from an insufficient supply of water when the subject was first brought forward, but it must be explained that they have left the Yaruppoo lands (which form the largest half of the Nunjah lands) uncultivated on this alleged ground since Fusly 1250. From the annexed translation of the deposition given by the inhabitants of Coodoodoray as well as from the Deposition of the Curnum, it will be seen that these lands were irrigated from Fusly 1208 to 1249 by running water derived from the surplus channels running through Coodoodoray to Coonneekaudoo comarapolliem - a circumstance I may observe, which shews that the application for a reduction could not have proceeded from the people being really unable to pay, for they were in fact enjoying these lands at the time it was made, at an advantage more than equivalent to

to

to what will be obtained from the proposed reduction, the average difference per cent in fusly 1249. between the Leerwah on "Nadaneer" and "Yarruppoo" lands being Rupees 38-4-8, and at a less assessment in proportion than is paid by the Cultivators of lands irrigated by running water in the Village in which the assessment had been reduced by Mr. Hargrave - an order however was passed by Mr. Ogilvie dated the 31st March 1840 prohibiting these Villages for taking any water from the Comara=pollicem Channel in future, and con=fining them altogether to the Channel called "Chinna Vockal" from which the "Nadaneer" lands have hitherto been irrigated, and hence the people have refused to cultivate. This order is not the first of the same kind that has been issued but it seems to be the first that has been strictly enforced.-

15- As the adequacy of the Chinna Vockal Channel to meet the increased demand is very doubtful, the question assumes a new feature as far as the "Yarappoo" lands are concerned, and the argu=ment from the purchase value with the proportionate reduction adverted to in Para 11 may

may be inapplicable but still I am not so satisfied that the supply will be insufficient as to recommend at present a reduction of the assessment on the "Yarappoo" lands on such a ground. a careful ins=pection of the Channel by the Engineer is wanting before hand, and supposing the supply sufficient hence=forward for a single crop only it would still be advisable to ascertain accurately the quantity of the diminished produce. Though the people have left the lands waste since fusly 1250, they have done so probably in the hope that the proceed=ings will ultimately obtain for them the desired supply- a trial should I think be made therefore in the 1st instance, but the best course appears to me to cancel the order adverted to by which all risk will be avoided.-

16- The ground assigned in this order for passing it is, that a decree was obtained in the Zillah Court of Salem in a suit instituted in 1806, by the Mootahdar of Comarapolliem versus certain inhabitants of Coodooday in favor of the Plaintiff, adjudging

adjudging that the water of the Channel of Coonneekandoo comarapolliem was to be enjoyed exclusively by that Village.

17. But it is to be observed in reference to this Decree, that the Village of Coonneekandoo comarapolliem is not now under the same tenure as existed when the Decree was passed, it has fallen under Circar management, and there are no rights of a Mootadar at present that can be infringed, as might have been the case had a source of irrigation exclusively applied to the Mootah when made over to the Mootadar been afterwards partially directed, without his consent to amanie lands. I conceive existing interests are justly consulted when the inhabitants of Coonneekandoo comara polliem have the usual supply of water continued to them, and that the increase may be given to other Villages if at any time by a public outlay such as has been made lately the Government can enlarge the supply of water in the Channel.-

18. The Decree of the Zillah Court was also illegal" no amount having

* The amount of the Estimates for the last 10 years is 2[illegible]39-4-9 and the expenditure Pagodas 1310 6-6.

"having been either claimed by or adjudged against "or disallowed to the appellants" on which grounds "an application for the admission of an appeal was rejected by the Provincial Court under date the 9th August 1808.-

19. If the question, whether the Village of Coodoo-doray and the three other Villages should be allowed a share of the water, be also tried with reference to the rights of the parties they have a strong argument in their favor, that some of the water of the Channel in question should be allowed, from the fact that surplus water from three sources Viz: from the Edunbancolum Tank on the North of the Coonneekandoo Coomarapolliem channel, from some of the lands of the Nunjah Ediar Village, and from some lands called the Pojari lands, which we enjoyed by these Villages before the Channel was dug was afterwards intercepted by that Channel and received into it; a point that was not fully considered in the decree, the grounds of which were the evidence to the Custom prevailing at the time, as the claims of the Mootahdars perhaps regarded.-

20 That the lands which would now be benefited by water being allowed to the

the Petitioners from the Coonneekaudoo camara-
-polliem Channel were certainly assessed after this
Channel was dug at the inferior rate, from
which it may be inferred, though it is not
stated so in the Pymash Accounts that the
"Chinna Vaikal" another Channel supplying the
Villages of Coodoodoray was intended to be
the source from which they were to be irri-
-gated the Comarapolliem Channel having
been dug in 1795, and the assessment fixed
in Coodoodooray in 1797, must be admitted;
but the effect of the loss of this water on the
interests of the Village might not have been
fully apparent to the authorities by whom
the assessment was made, and it ought to
be shewn that the people consented to give
it up.

21. With reference therefore to the
previously existing rights of the Petitioners
but especially on the ground that important
repairs have been made in the Channel
and some alteration in regard to its course
which will be of benefit to the Coonne-
-caudoo coomarapolliem Village being in
contemplation. I recommend that in future

a sluice be allowed to the Village of Coodoo-
-doray in the Coonneekaudoo Comarapolliem
Channel to assist in the irrigation of the
Nunjah lands assessed as lands irrigated
by Pekotahs, in accordance to the Custom
which has prevailed for a number of years,
though hitherto it has been unsanctioned,
and that the additional assessment for lands
watered by running water at an average rate
of 20 per Cent imposed. With this arrangement,
the people as appears from the deposition
will be content; and the rate of 20 per Cent.
being lower than the average difference be-
-tween Nadaneer and Yarappoo Lands, will
be a concession which it may be deemed
proper to make though the present rates of
assessment be not lowered.

22 If this be allowed the lands
irrigated by running water of Coodoodoray
and the other three Villages will be supplied
by the Channel called "Chinna Vaikal" which
is a small Channel receiving surplus water
from some of the lands of Nunjeddiar Vil-
-lage one of the Villages irrigated by the large
Channel running direct from the Cauvery and
the

Fort St. George 27th November 1845.

the Lands hither to assessed as watered by Pekotahs and supposed to have been watered also from the Chinna Voikal which are situated between the "Chinna Voikal" and the Coonnekaudoo Comarapolliem Channel, with water from the latter Channel, none of these Villages being irrigated direct from the water of the Cauvery a circumstance which does not seem to have been explained before and there will be no doubt then, of the supply being sufficient.-

23. In respect to Para 16 of the Boards Proceedings I beg to state that the main channel in the Paramutty Talook and the surplus Channel of Coonnekaudoo comarapolliem are now in a state of good repair, so that the whole of the Nunjah Lands watered by the Channel direct from the Cauvery are cultivated a large addition has also been made lately to the Cultivation in the Village of Coonnekaudoo comarapolliem situated within the Boundary of the Namcul Talook but watered by the surplus Channel, running nearly the whole of its length in the Paramutty Talook, to which I have frequently referred in this letter. The "Chinna Voikal" from

Fort St. George 27th November 1845.

from which the Nadaneer lands of Coodoodoray and the other three Villages are irrigated is of very insignificant dimensions, compared with the other two, and little labour is required to keep it in good order, the acting Civil Engineer on his visiting the neighbourhood lately, would have given an opinion as to its capacity for irrigating both the Nadaneer and Yarapproo lands, but from the state of the floods he was unable to do so.-

24. It is proper to mention that a reduction was made in the assessment in the Village of Coonnekaudoo Comarapolliem by Mr. Hargrave as in the Villages in the Paramutty Talook and there is perhaps analogy between the circumstances of that Village and the Villages of the Petitioners than the latter have with the Villages watered direct from the Cauvery but the Ayacut Accounts required in Para 15 of the Board's Proceedings being limitted to the Villages in the Paramutty Talook the Accounts of this Village were not sent for, and have not therefore been forwarded.-

Salem District. . . .
Trichengode Talook. . . .
Paroottypally Sub Coll.s
Circuit Cutchetry, . . .
12th October 1842. . . . .

(Signed) H. St. Brett
Asst Sub Collector

Statement

16493

Fort St. George 27th November 1845.

Statement shewing No. 4 the Estimate and Expenditure for the repairs of the Rajah Voikal in the Paramuttty Talook by which the low lands of Vengari, Pondamangalum, Poodoopolliem Ediat and Teroomalanamasamoodrum &c are irrigated and for the aqueducts over the Channel of Comorapolliem for the irrigations of Nunjah lands belonging to the said Villages from fusly 1241 to 1250.-

In Fusly 1241.

For the Bridge of Nunjeadiar

	Pcs	A	P
Stone work	39	-	13
Brick and Chunam Work	271	-	-
Total	310	-	13

For the Bridge of Nunjee poodoopolliem.

Brick and Chunam work to the Bridge near Valoor	8	-	1
Do Do to the Bridge of Royagounden Tope	12	-	11
For the Bridge of Buttaringar Stone work	2	-	11
Brick and Chunam work to Do	13	-	10
Total	16	-	5

For the Bridge called Parahmaruttoopadum.

Brick and Chunam work	5	-	9
Grand Total	353	-	7

In

16494

Fort St. George 27th November 1845.

In Fusly 1244

For the Aqueduct constructed over the Bridge of Comorapolliem channel for the irrigation of the Coottoocandoo lands attached to Teroomalanamasamoodrum.-

Brick and Chunam Work	104	- 15	-

In Fusly 1250.

For the Bridge of Buttryengar Tope.

Stone work	1	-	-
Brick and Chunam work	9	- 14	- 5
Total	10	- 14	- 5

For the Bridge of Royagounden's Tope.

Brick and Chunam work	7	- 14	- 9
Total	18	- 13	- 2
Grand Total	477	- 13	- 2

It does not appear that any outlay has been made during the last 10 years for the purpose of clearing out the Channel.

(Signed) H. A. Brett
A.J. Sub Collector

Statement.

Fort St. George 27th November 1845.

No. 5.

Statement shewing the Estimate and Expenditure for the repairs of the Channel of Comarapolliem in the Namkul Talook for 1830 to 1842.

Year.	Estimate.	Expenditure
1830	281-4-	207-15-
1834	610-9-5	267-9-6
1841	1091-14-	609-5-

For the year 1842.

Brick and Chunam work	411-8-	225-8-2	
Old Stone work	19-8-		The Stone work has been performed during the last year and this Estimate is therefore unnecessary.-
New Stone work	29-13-		
	455-13-	225-8-2	

Grand Total 2439-4-7-1310-6-6

Reference must be made to the Account in the Principal Collectors Office for the particulars.-

(Signed) H. A. Brett
Acting Sub Collector

Statement

Fort St. George 27th November 1845

Statement shewing the rent derived from Nadaneer and Yaripporu land, supposing the land to be saleable at 26 Rupees per acre for the 1st description, and Rupees 25 per acre for the last description, and the profits if it be not rented to the Cultivator.

If an acre of Nadaneer land be rented the assessment on which is Rupees 16-5-5-

The quantity of grain received by the owner from the Cultivator is 5½ Poottics which at 3½ Rupees per Pootty ——— Rs 17-4-0

Deduct 10/16 Pootty expended by the owner in fees to Village officers at D:— D:— ——— 2-4-6

Balance 15-13-6

The assessment being 16-5-5 the loss to the owner who has bought the land at 26 Rupees per acre is - - - 0-7-11

If the price per Pootty be 4 Rs his gain is 3-2-7 which makes the land saleable at about 8 years purchase.-

If an acre of Nadaneer land be let out to Cultivation for warem or ½ Share of the produce, 7 Poottics the average produce at 3½ Rs - 22-12-0

Deduct ½ Pootty as Kalavasum or present to Cultivator and 1 10/16 as Coodewarem as Cultivators share at D: D: - - - - - - - 6-14-6

Remaining as owners share 4 14/16 Poottics equal to 15-13-6

Deduct expended as fees 6/16 equal to - - - - - - 1-3-6

Balance 14-10-10

loss to the purchaser is above - - - - - - - - - - 1-11-5

If the Prices per Pootty be 4 Rs his profit is - - - 1-10-7

and

and the land is saleable at 16 years purchase.

If the owner cultivates the land himself
7 Pootties the average produce at 3 1/2 Rs per Pootty } 22-12-.
add net Value of Straw - - - - - - - - - 2-.-.

24-12-.

Deduct 10/10 Pootty for sundry expenses at 9s 2-13-6

Remaining produce 6 1/8 9s - - 9s - - - - 21-14-6

Deduct assessment - - - - - - - - - - 16-5-5

Profit to Ryot - - - - 5-9-1

If the price per Pootty be 2 Rs profit is 10-2-7
which makes the land saleable at 2 1/2 years purchase.

If an acre of yeruppoo land be let out to cultivation for warum the assessment on which is 11-6-10
The quantity of grain received by the owner from the Cultivator is 3-4-. which at 3 1/2 Rupees per Pootty - - - - - - - - - - - - - - - - -

Deduct the assessment - - - - - - - - - 11-14-8

Profit to the owner who has bought the land @ 25 Rupees per acre - - - - - - - - - 3-7-10

If the price per Pootty be 4 Rs his gain is - - 3-3-10
which makes the land saleable at 8 years purchase
and he gains the same profit though the land is rented.
If the owner cultivates the land himself the average produce is 8-0 m which at 3 1/2 Rs per Pootty - - - - - - - - - 27-1-4
add net value of straw - - - - - - - - - 2-.-.

29-1-4

Deduct 1 Pootty for sundry expenses - - - - 3-4-.

Remaining produce 7-2 m at 3 1/2 Rs per Pootty - - 25-13-4

Deduct the assessment - - - - - - - - - 11-6-10

Profit to the Ryot - - - 14-6-6

If the price per Pootty be 4 Rs profit is - - - - 19-14-6
which makes the land saleable at 1 1/2 years purchase.

(Signed) R.A. Brett
A.S. Sub Collector
Translation

Translation of a Deposition given before the Acting Sub Collector of Salem by Seetahramien a Carnum of Coodoodoray and other Villages in the Talook of Paramutty on the 12th April 1842.

What Teerwah was fixed at

2 Viz. the yeruppoo Lands. the survey for the lands lying waste at Coodoodoray and upon what source of irrigation. state it on a reference to the Accounts.

It is not written in the Accounts what source of irrigation existed at the survey. On some of these waste lands the Teerwah of yeruppoo Nunjah (or lands irrigated by Pekotah) was fixed and on some lands the Garden Teerwah.

Garden Acres 14-4-3 assessed at 80-2-10
Yeruppoo Nunjah 31-33-7 9s 9s 396-5-1

The lands thus assessed are the same which are lying waste for these 2 years.

2 By which water were the said lands cultivated up to fusly 1249.

At By the water of the Surplus channel but nominally by the water of the "Chinna Voikal".

2 Was Yeruppoo Saujoobady (cultivated by drawing water by Pekotahs) at Nadaneer

16499 Fort St George 27th November 1845.

Nadaneer sagoobady cultivation by running water made by the said Surplus water State it in detail.

A All the yeruppoo Nunjahs (Lands irrigated by Pekotahs) were cultivated as Nadaneer Nunjah (by running water) and the Garden Lands were cultivated by Pekotahs.

2 Did you report to the Circar the circumstances of the Lands having been cultivated by running water and get Nadaneer Jirvah imposed on them?

A I did not do so because the Inhabitants of Coodoodoray were fined for taking water without permission.

2 For what price are sold the fysal Nadaneer Nunjah Lands of this Village?

A. a gs as
1-37-5 A Saye which consists of is sold for 50 Rs at this rate one Soobbareddy purchased (Land) from ones Narrain reddy in the year 1830 Veekerootee.

2 How are the fysal yeruppoo Nunjah Lands sold in this Village.

A. I have heard that about 14 years ago one Soondarien purchased a land consisting of 2-16-1 at gs as assessed at Rs 27-6-9 a o from one Puttavurtee Ranjan for Rs 60 and odd but I did not see that Bond.

† This bond has been seen by the A.S. Sub Coll.

(Signed) Seetahramien

Taken before me this 12th day of April 1842

(Signed) H. A. Brett
A.S. Sub Collector

Translation

16500 Fort St George 27th November 1845.

Translation of a Statement given before the acting Sub Collector of Salem by the undersigned persons of Coodoodoray in the Paramutty Talook on the 12th April 1842.

2. It appears that yeruppoo Nunjah lands (Nunjah lands irrigated by Pekotahs) are lying waste in the Village of Coodoodoray. For how many years and by what reason are they waste, state it in detail.

A. They are waste from fusly 1250 to 1251 in consequence of the deficiency of water.

2. By which water were they cultivated before the said years, and what has become of that water now?

A. yeruppoo Sagoobady (cultivation supported by irrigation by Pekotahs) was made by the water of Chinna Voikal and whenever we found the water insufficient we used to take water at one or two times from the surplus channel of Coonekandoo as Nadaneer and carry on the cultivation.

2 If one or two times water was wanting from the said surplus channel what is the cause of your leaving the whole lands entirely waste?

We

Fort St. George 27th November 1845.

A. We have fixed Pickotahs at the said Chinna Voikal but we do not draw water from it. We always took the water of the said surplus Channel as Nadaneer and carried on the Cultivation.

2. Did you cultivate these waste lands as Nadaneer Sagoobady by the water of the said surplus Channel from the year Aunundah in which that Channel was dug up to fusly 1249?

A. The said Channel was dug up in the year 17[illegible] Aunundah. As it was running by the side of Chinna Voikal from what year to Pungalah 17[illegible] we cultivated these waste lands as yarappoo Punjah Sagoobady by the water of the said surplus Channel In the year Caulyooty the said Channel having been turned in the high ground and as the water of Chinna Voikal was insufficient though we had fixed Pickotahs at that Channel we kept a sluice at the surplus Channel and cultivated the said lands as Nadaneer Sagoobady by that water from that year to fusly 1249.

2. There are some gardens amongst the lands now lying waste. By which water was that garden land cultivated and what have you planted them with?

A. The Garden lands being rather higher

Fort St. George 27th November 1845.

higher than Punjah land we brought the water and allowed it to remain in the Punjah land and then applied it to the garden lands by means of Pickotahs and Cultivated it as Poonjah Garden.

2. You state that you made Nadaneer Sagoobady by the water of the surplus Channel. Did you pay any increased Teerwah to the Circar for Nudyneer Punjah?

A. Although we made always Nadaneer Sagoobady yet we did not pay increased assessment to the Circar at any time.

2. If the water of the surplus Channel is ordered to be allowed in future for these waste lands what Teerwah are you willing to pay?

A. We are willing to pay the Nadaneer Punjah Teerwah which was established in this Village.

2. If other Ryots give Durkasts engaging to Cultivate these waste lands as yarappoo Punjah by the Chinna Voikal without the use of the water of the surplus Channel what will you say to it?

A. As we have held the said lands for a long time some one else will make proposal from enmity but the Gentlemen should be pleased to order the said lands to be given to us only.

2. You have stated that if the water of the surplus Channel is allowed for these waste lands you will pay Teerwah fixed on Nadaneer Punjah lands of this Village. If this Nadaneer Teerwah is

an

an equitable one what made you apply for a reduction of it.-

A- As Mr Hargrave had made a reduction of assessment for the adjoining Villages and as the Jarum Teerah of this Village is high we applied for a reduction- The lands of the adjoining Villages being irrigated by the water of Rajah Vaikal or General Channel give a good Crop. Those of this Coodoodoray being irrigated by surplus water do not give a good Crop we therefore made an application for a reduction of assessment.

2- If the water of the surplus Channel should be ordered to be allowed for the lands now lying waste what quantity of water is required.-

A- If 2 sluices to the height of 4 inches ordered to be kept, the waste lands will be Cultivated.

2- How long should the water of the said 2 sluices be made to irrigate?

A- It is enough if the water of the said 2 sluices irrigates the lands during 4 Jammums in the Day time-

/Marked/ Palany gounden-
/Signed/ Paryenna gounden-
/ " /Soobbah reddy
/Marked/ Chinnana gounden.
" /Mootteo gounden-
" /Ramakreddy Vurddah reddy
" /Mootteo Caroopa gounden.
" /Vengah reddy.
" /Narain reddy.
/Signed/ Voomahpathee Coorookul.

54-55

Taken before me this 12th day of April 1842-
/Signed/ H: A: J Brett-
A: Sub Collector-

Order thereon-
Ordered to be brought forward at a future Meeting
Read again in Cons: 16th July 1845-

B

To. J. Pycroft Esqre
Secretary to the
Board of Revenue
Fort St George.

56

Sir,

From the Collr of Salem-

With reference to your letter of the 15th Ultimo I have the honor to forward duplicate Copies of the letters and their enclosures / with exception of the original documents noted in the margin no Copies having been kept in my Office / submitted to the Board but not received by them.-

*Petition in letter No. 31- Original letter with enclosures No. 60 appeal Petitions No. 1805 of 1843- No. 110-

/Signed/ W. C. Lockhart
Collector

Salem Gillah- Darumpoory Coll[r]s Cutcherry 14th October 1845-

Ordered to be recorded-
Read the following letters

Order thereon-

56-57

To. J. Pycroft Esqre
Secretary to the
Board of Revenue
Fort St George.

Sir,

From the Collr of Trichinopoly

58

In conformity with the instructions contained in the Extract from the proceedings of the Board of Revenue under date the 16th Ultimo I have the honor to transmit the original Purwanah therein alluded to.-

The Purwanah having been received

2.-

Fort St. George 27th November 1845.

received into the Office shortly after the assumption of the Country and no doubt appearing to have been expressed regarding it at the time there is every reason to believe it to be genuine - and in regard to the circumstance of the allowance being declared to be payable from the Sayer department, I beg to state that in common with other yeomiahs which were granted under similar terms it has always been defrayed from the general revenue of the District, and has not been entered as a charge on the Sayer department.-

Trichinopoly Coll.r Office 5th November 1845.

/Signed/ A. P. Onslow

Collector.

58-59

Encl. Orig.l Purwanah Persian.

Order thereon,

Ordered to be brought forward at a future meeting.

(Read again in Con.n 1st Dec.r)

To T. Pycroft Esq.re

Secretary to the Board of Revenue Fort St. George.

60

From the Coll.r of Trichinopoly

Explaining the discrepancies relative to the number of Yeomiahs alluded to in the Board's letter of the 27th Ultimo.

Sir,

Para 1- I have the honor to acknowledge the receipt of your letter of the 27th Ultimo calling upon me to explanation discrepancies relative to the number of yeomiahs entered in the lists which severally accompanied my letters of 18th November 1844 and 26th September 1845.-

2- The total number of yeomiah allowances payable at this Treasury is 41- out of which 34 were objected

Fort St. George 27th November 1845.

objected to by the Civil Auditor in the grounds that the sanction of Government was wanting. The objections however were really only applicable to 30 cases as for 4 (of these objected to) the sanction of Government had been granted - and my letter of the 18th November was written for the purpose of procuring the sanction of Government for the disbursement of the allowances for which it had not been already obtained - but thro' inadvertence only 28 instead of 30 instances were inserted in the list which accompanied it

3- The list which accompanied my letter of the 26th September contained all the yeomiahs which were objected to by the Civil auditor - Viz.t 28 - included in list No.3 in my letter of 18th November

* No. 110-
No. 1-
Order of Govt.
* No. 47 - 29th July 1826.
" 87 - 18th Aug.t 1833
" 2 - 29th July 1828
" 8 - 24th Sept.r 1817.

also objected to by the Civil auditor - but erroneously omitted in the same list - and * 4 also objected to by the Civil auditor but to which no objections ought to have been made as the sanction of Government had been obtained for them - and all the other Yeomiahs payable at this Treasury to which the Civil Auditor had not made objections hence the discrepancy in question -

Trichinopoly Coll.rs Office 8th November 1845.

/Signed/ A. P. Onslow

Collector

Ordered

1570
60-61

Order thereon.

Read again in Cons.t Dep.t

Fort St. George 27th November 1845.

Ordered to be sent again in circulation.-

To T. Pycroft Esqre
Secretary to the
Board of Revenue
Fort St. George.

Sir,

From the Coll.r of Trichinopoly. 1- Having been called upon by the Principal Sudr Ameen to attach and take under management certain lands forming part of the endowment of a Mosque in virtue of a decree passed by the late Zillah Court of Trichinopoly so long ago as the year 1818 and being in doubt as to the jurisdiction of the Court in regard to lands so situated subsequently to the Enactment of Regulation VII of 1817 I think it proper to refer the matter to the Board before making the attachment, and I accordingly solicit their instructions whether I am to make the attachment or not-

Submitting Copies of Communication received from the Pr. Sudr Ameen to attach certain lands forming part of the endowment of a Mosque in virtue of a Decree passed by the late Zillah Court Trichinopoly and soliciting instructions whether the attachment is to be made or not.-

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2- I have no objection to make the attachment beyond that which arises from my doubt as to the jurisdiction of the Courts as above explained. If the lands are placed eventually under my management I shall of course abstain from all interference with the distribution of the proceeds which it will be for the

1570

Fort St. George 27th November 1845.

the Court to dispose of

3- Copies of the communications received from the Principal Sudder Ameen and its enclosures are herewith sent.-

Trichinopoly Collr.s Office 10th November 1845.

/Signed/ A. P. Anslow
Collector.

No. 1.

To A. P. Anslow Esqre
Collector of
Trichinopoly.

Sir,

I have the honor to forward herewith Copy of an Extract from the Proceedings of the Zillah Court of Trichinopoly dated 16th June 1845- and of the decree alluded to therein, together with a Copy of a Tamil Extract from the proceedings of this Court dated the 6th Instant and to request that the 15 Chays of land alluded to in the said Decree in Os. No. 745 of 1818 of the late Zillah Court of Trichinopoly situated in the Village of Abeshagapooram in Coiand Talook may be attached and kept under the Management of the Circar until the Petitioners Nochdeenally Shaw and 6 others should appoint a proper person for the management of the affairs of Budderdeen's Mosque.-

Trichinopoly ---- Pr. Sudr Ameen's Court 5 November 1845.

/Signed/ Syed Yeyavooseen
Pr. Sudr Ameen

Extract.-

1511- Fort St. George 27th November 1845

No. 2.

Extract from the Proceedings of the Zillah Court of Trichinopoly dated 16th June 1845.

M. P. No. 226 of 1845.

Read petition presented in the 11th June 1845. by Moideendally Shaw and 6 others stating that it is mentioned in the Decree passed in No. 225 of 1818 - by the late Zillah Court at Trichinopoly that the whole 15 Cheys of lands were granted for the exclusive support of Baddroodeen Saibs Mosque; a new Manager should be appointed by the 3 Claimants that the whole charges of the Mosque should be first defrayed out of the produce and the overplus divided in 3 Equal proportions, that if this is not done a Precept will be issued to the Collector to resume the lands under the Management of the Collector that the Defendants son Salameyah alias Abdul Rhyman acted up to the Decree for some time, but afterwards failed to do so, that he refused to obey the orders of the new Manager and appropriated the produce of the land to his own use instead of giving it for the support of the Mosque.

The Petitioners therefore pray that the Court will be pleased to look into the Decree they produce, or send

1512- Fort St. George 27th November 1845.

send for the said Defendants son and direct him to conform to the Decree or if he refuses to do so to write to the Collector to keep the produce of the land under his charge and give it for the support of the Mosque -

Order of the Court -

Ordered that Copy of this Petition together with original Decree be forwarded to the Principal Sudder Ameen of Trichinopoly and that he be directed to carry the above decree into execution -

Ordered further that Extract from these proceedings be forwarded to the Principal Sudder Ameen of Trichinopoly with Precept returnable without delay -

/ A true Extract /
/ Signed G. S. Greenway
Ag. Civil Judge.

No. 3.

Trichinopoly Zillah Court O. S. No. 225 of 1818 -

Shaik Hussain
Hussain Saib
Mahomed ally Shaw - Plaintiffs.

Vers.

Crathelly Shaw ——— Defendant.

The Court having considered the Petition, Answer, Reply and Rejoinder, the settlement of accounts produced by Defendant to 30th Aunie -

of

Fort St. George 27th November 1845.

of Vegoodanah, also the evidence of the following Witnesses

On the part of the Plaintiff.

Shaik Mahomed. Venkatarama reddy
Shaik Modeen. Moothiah Moodelly
Kistnyan. Ristna Reddy.

proceed to pass a Decree in this case.

The Plaintiffs sue to recover 68 Rupees 4 Annas and 8 pice being the Value of their share of the produce of 15 Keys of Enam Land attached to Baderdeen Saibs Mosque for the year of Jakvarah their share being 72 Callums.

The Defendant admits Plaintiffs right to the share claimed, but states their share in the above year to be only 50 Colums. Defendant further states that he had the Management of the Mosque during 13 years, and that on a settlement of accounts signed and agreed to by the Plaintiffs the balance due by them for the expences of the Mosque was 100 Poons 6¼ fanams, from which deducting 29 Poons and 4 fanams the Value of the above 50 Colums there still remains due to him by Plaintiff 71 Poons 2½ fanams.

The Court observes that if the settlement of accounts produced by Defendant was really executed by

Fort St. George 27th November 1845.

by the Plaintiffs this Document would of course be sufficient to decide the cause: but after an attentive consideration of the evidence and facts in this case the Court is decidedly of opinion that this Document has been fabricated by the Defendant.

The first circumstance which struck the Court was the very great improbability of the Plaintiffs bringing this suit within a period of two Months after they are stated to have signed this Document.

Secondly the manifest injustice of the Defendants demands. It appears that there are three shares in the land attached to the Mosque. The Plaintiffs one third. The Denfendants one third and the first Witness Shaik Mahomed one third.

There is no proof whatever before the Court that the Defendant has ever been regularly installed in the Management of the Mosque, and if he had been so installed he had no right whatever to borrow money for its expences without the consent of the proprietors of the remaining shares. The expences of the Mosque ought to have been

Fort St George 27th November 1845-

been annually deducted from the produce and the overplus produce divided in three shares- The Court never can believe that the Defendant would have gone on for 13 years expending money at his own risque on the Mosque and allowing the remaining sharers to receive their full share of the produce- this is manifestly false-——

That fully confirms the Court in the belief that the Document produced by the Defendant is fabricated is the gross contradiction and prevarication of the two Witnesses to its execution- Veneataramareddy and Mostuah Moodelly which is highly disgraceful-——

The Court needs no further proof in this infamous fabrication- The whole of the charges made by Defendant are wholly without proof- and the Court therefore adopting the statement of the Plaintiffs, Decree that Defendant do pay to Plaintiffs the full sum sued for being Rupees 63-4-8; and further that Defendant do pay all the Costs of suit as follows-——

With regard to the future management

Fort St George 27th November 1845-

management of Budder Deens Mosque the Court recommends that as the whole 15 chegs of Land were granted for its exclusive support that a new Manager should be appointed by the three claimants that the whole charges of the Mosque should be first defrayed out of the produce, and the overplus divided in three equal proportions-——

If this is not done a Precept will be issued to the Collector to resume the lands under the Management of the Circar-——

	Rs	A	P
Value of Stamp papers used by Plaintiff for Pleadings yet to be paid by them to Defendant - - - -	7	8	11-
Fees to be paid by Defendant to Plaintiffs Vakeel Sooba Row - -	3	2	5-
	10	10	5-

Defendant

10517 Fort St. George 27th November 1845.

Defendant to pay to his Vakeel Latchmy Narasamiah Chary - - - - - - - - - - 3-2-5.

Given under my Hand and the seal of the Court at Trichinopoly this 29th March 1819. —

/ Signed / C. H. Cruttenden
Register.

Resolution thereon.

(62-63)

It does not appear to the Board of Revenue that there is any objection to the lands referred to in the above letter being attached and managed by the Collector under the circumstances stated. They observe that the provisions of section XIV Regulation VII 1817 shew that claims to Davastanum endowments and emoluments are cognizable by the Courts of Adawlut if the parties concerned see fit to have recourse to those Tribunals. —

Read the following letter.

10518 Fort St. George 27th November 1845.

To

T. Pycroft Esqr.
Secretary to the
Board of Revenue
Fort St. George.

Sir,

From the Dy. Coll.r of Madura - - - -

I have the honor to forward Copy of Plaint and translate together with proposed Answer in English in O. S. No. 45 of 1845 on the file of the Subordinate Court of Madura in trust the Government may think proper to maintain the defence at the Public expence. The time fixed for filing the answer expires on the 20th Proximo. —

(64)

Madura - - - - -
8th November
1845

/ Signed / J. Blackburne
Principal Collector

No. 1.

Translate of a plaint in O. S. No. 45 of 1845 on the file of the Subordinate Court Madura.

Plaintiffs

Syed assin Saile son of abdulkanee Saile of Madura a Cultivator of Madura aged 48 years. 1. Nunnoomey a Saib alias Syed abdul Rayaman Saib brother of the above aged 44 years - - - - - 2.

Vers

Defendants

1. J. Blackburne Esqr. Principal Collector of Madura
2. Kistna Rao Head Sheristadar
3. Thiroomul Rao Naib Do.
4. Annajee Rao Tasildar of Madacolum.
5. Looba Rao Moozoomdar of Do.
6. Veerana pillay Nattamgar of Vandyoor Village. —
7. Poonnoo Sungaroom pilly Do. Do.
8. Sockayer Curnom of Do.

This is an action for recovery from Defendants

Defendants of a Palanqueen of Bengal fashion valued at Rupees 50 illegally taken away by the 6th and 8th Defendants under orders of the 4th to meet an urgent demand against Plaintiffs, and prohibition against exacting from them Rs. 27-12-2 the taxe on Crops perished when sprouts after transplantation, instead of 4 Rupees only justly due to Government on account of Punjah taxe.-

1 In the Village of Mathicattinanaidel belonging to the 1st Plaintiff situated west of Poodoocotay, a hamlet of Vandyoor in Madoicolum, North of Allipollum rock, Gooroonaths Gowndens field, and of a Channel named Alagarom pottel, East of the Punjah lands of Paramasawmy a pillay &c. of Pasaputtoo and of an adjoining ooranny or pond, and South of Attoo muntapom and road running east to west, I the 2d Plaintiff Cultivated in fusly 1254 1844 3 3/16 Cawnies of land with Punjah or 15 1/2/16 Cawnies in field No. 20 3/4 Cawny in field No. 21 and 10 1/2/16 Cawny in field No. 25 all of Sakalay soil of the 3d Class, as well as 3 1/2/16 Cawnies with Punjah mel Punjah, or 3/4 14/16 15/16 and 8 1/2/16 Cawnies of the same description of soil and Class in field No. 6. The Crops having perished after transplantation and whilst only Sprouts from want of rain I shewed them to the Defendants 6 to 8 who acknowledged its truth.-

In

2 In anticipation of any disappointment on the part of the three last Defendants from the animosity existing between us in matter of Village disputes, I the 2d Plaintiff informed the 4th Defendant of it both in writing dated 18th December of that year and personally when he promised to remit the taxe on the perished Crops at the settlement.-

3 Again I raised Coodaay Crops of Punjah mel Punjah on 4/16 Cawnies of land in field No. 20, which having likewise perished after transplantation and whilst Sprouting only I shewed them also to the three last Defendants who admitted the truth.- Afterwards on the 3d March of the current year I informed the 4th Defendant of the above in writing, and under his order Mootoovien Yillaadar obtained depositions to that effect from the Meras-sidars &c. of the Village and submitted them with his report to the 4th Defendant in march date not known.-

4 Whereupon the three last Defendants who are our enemies with the Cooperation of the 4th and 5th prepared an account as if we had enjoyed the produce of the lands alluded to above and were liable to pay

pay a tax of Rs. 27-12-2 to Government and demanded it from us together with Rupees 4 c^a after deducting Rupees 32 already paid by us in satisfaction of Rupees 36 the tax on 64 7/8 c^a Goolies of Punjah land cultivated by us and our under-tenants during the same fusly- We expressed our readiness to pay the latter amount as justly due, and objected to pay the former, but they refused to receive it c^a unless I paid the whole.-

5. Upon this I 2^d Plaintiff obtain- ed a Mahazurnamah or general written acknowledgement from the Ryots of that and of a neighbouring Village to the fact of the Crops having perished and submitted the same with a petition to the 1^st Defendant under date the 31^st July requesting remission on them; and he referred them to the 2^d and 3^d Defendants for enquiry and report.-

6. As the 2^d and 3^d Defendants had not instituted full enquiry into the matter nor represent the truth to the 1^st Defend- and he passed an illegal endorsement under date the 2^d Instant to effect "that some of "the perished Crops &c^a were not presented "for examination and because it appeared "that some of them were on two Crop lands- that

"that the amount of remission applied for was "below 10 per Cent of our puttahs, they have been "carried to the head of harvest under the order "of the Board of Revenue and that under c^a "these grounds the prayer of my petition "was rejected," and forwarded it to the 4^th Defendant for delivery to us, but who instead of doing so immediately, handed it over to us only on the 13^th Idem the Mahazurnamah excepted.-

7 The three last Defendants who are the servants of Government inspected the perished Crops &c^a and admitted c^a them to be such, whilst I 2^d Plaintiff twice informed the 4^th Defendant of it both in writing and personally who also acknow- -ledged the truth of it. Further more out of Rupees 63-12-2, the whole tax on lands cultivated by us, and our under-tenants in the fusly-ingestion, the demand on the perished Crops &c^a Amounts to Rupees 27-12-2 Whereas the endorsement of the 1^st Defendant is as tho' the perished Crops &c^a were not presented for examination and that the tax upon them was below 10 per cent of our puttah, being unjust and illegal, we endeavoured to institute a suit

suit in the Court after getting possession of the Mahazurnamah - Mean time the 6th and 8th Defendants together with some Police Peons came to our Choultry on the 19th Instant under the orders of the 4th and carried away a Palenqueen valued at 50 Rupees and are about to sell it in public auction.-

8. Where crops after transplantation &ca perish they never paid tax to Government - To look upon such a tax as a just demand is at variance with the provisions of Clause 2 Section II Regulation XXVII of 1802 - Again the sale of our property in public auction in satisfaction of a balance on the cultivation for fusly 1254 for which we neither passed any recognizance nor accepted Puttah being inconsistent with Section II and III Regulation XXV of 1802, we bring this suit against all the Defendants.-

9. We therefore pray the Court for an injunction prohibiting Defendants from exacting from us Rupees 27-12-2 the tax on Crops perished after transplantation &ca with exception of 4. Rupees only the balance of Punjah tax justly due, and for recovery from them of the Palanqueen illegally taken away by the 6th and 8th Defendants under the orders of the 4th for

for sale in public auction on account of the balance above alluded to.-

20th August 1845

/True Translation/
/Signed/ J. Blackburne
Principal Collector.

Proposed answer to the plaint in suit No. 45 of 1845 on the file of the Subordinate Court Madura.-

On representation by the 1st Plaintiff that his cultivation of 3 3/8 Cawnies of Nunjah under the tank of Mathicatteranaindel perished in fusly 1254 - a Government Servant was deputed to inspect it, meantime the Plaintiff having ploughed and raised a second Crop / rape seed &ca / on 1/16 Cawnies, the perished 1st Crop of which was not present for examination, the examiner was obliged to enter it under the head of harvest agreeably to a published notification.-

2. On his renewed application at the settlement for remission of the tax on the 3 3/8 Cawnies, a reference to the accounts satisfied the 1st Defendant that only 1/16 Cawnies of what had perished after transplantation had been presented for examination - that 1/16 had perished

from

from the natural infertility of the brackish soil and that if the 1/16 had perished after transplantation the stalks were not left in proof for the examination.- Now the Board's standing rules and especially of the 6th March 1845 prohibit remission on Crops perishing from badness of soil, and where the stalks are not left in proof for the examiners & where the perished portion does not exceed one tenth of a holder's whole puttah and where it does, their rules only allow remission on the portion in excess of the 10 per Cent, which last Clause debars the poor Cultivators from any Claim on the first item of 1/8 Cawney, for the tax upon it being only Rupees 5-11-8 falls within the 10 per cent of his puttah of Rupees 63-12-2 and besides this 1/16 out of that 1/8 had been Cultivated for a second crop which is another bar to that portion.-

3. There was a balance of Rs. 31-13-4 against the 1st Plaintiff up to 7th August of the Current year, including the tax on the above 3 3/8 Cawnies of land, as well as on certain Poonjah lands in his holding, for default to pay which even after the expiration of the fusly the 4th Defendant sequestrated

sequestrated his personal property / Viz / a Palanquin &ca / as Puttah holder of the lands & reported it to the 1st Defendant under date the 8th September No. 612 and under his order of the 13th Idem, he sold the Palanquin only in public auction for Rupees 34, and after paying from it Rupees 31-13- in satisfaction of the Government demand and Rupees 1-15-10 Government Commission and 2 Annas for Conveying the Palanquin total Rupees 33-14-10; the remainder Viz 1-anna & 2 price with the remaining articles unsold were delivered to the 1st Plaintiff thro' the 7th & 8th Defendants.- The Plaintiff's statement that the tax on 3 3/8 Cawnies of land including Punjah tax, was Rupees 31-12-2; and that the value of the Palanquin was Rupees 50,- is the first erroneous & the second of no Consideration.-

4. During the allotment of lands for Cultivation for the fusly. one Poolien, a Punnagar or agricultural servant of the 1st Plaintiff, signed the allotment accounts for the latter as proxy, he being a non resident

Ryot

Ryot and as he was likewise absent from the Village at the time of Settlement and distribution of puttahs his puttah was as usual delivered to him thro' the 6th & 7th Defendants, Nattamgers of the Village, thus his denial of having Consented to the allotment of lands for Cultivation and to the acceptance of the puttah is incorrect.-

5 The 2d. 3d. 4th 5th 6th 7th & 8th Defendants having acted under the orders of the 1st are not responsible in this suit.-

/Signed/ Jn. Blackburne
Dpty. Collector.

Ordered that the foregoing letter be submitted with the following address.-

(64-65)

To, The Chief Secretary to Government.

Sir,

I am directed by the Board of Revenue to forward for the orders of the Most Noble the Governor in Council the accompanying letter from the Principal Collector of Madura enclosing Copy and translation of a plaint filed in the Sub Court of that Station against himself and certain of the Moozoor Talook and Village Servants, and draft of the answer which

To the Chief Sec.... to Government

Submitting a letter from the Pl. Coll. of Madura enclosing Copy and translation of a Plaint filed in the Subordinate Court of that Station against himself & others on account of the sale of a Palan: queen the property of the Plaintiff sold for an arrear of Revenue alleged to be due and recommending that the Principal Collector may be allowed to defend the suit at the public Charge.-

Rd. 18th Nov. 1845

which he proposes to put in in the Cause.-

2 The Cause of this suit is stated in the Plaint to be the sale of a Palanquin the property of the Plaintiff sold under orders of the 1st Defendant the Principal Collector for an arrear of Revenue alleged to be due - Plaintiffs however maintain that no such Charge can justly be made upon them in as much as the Crops raised on the land for which the demand was made had utterly failed and the Peervah should therefore have been remitted - They further urge that no puttahs were exchanged as required by Section III Regulation XXX 1802.-

3 In his reply the Principal Collector has entered into details calculated to shew that the Plaintiffs had no Claim to remission for the alleged loss of their Crops that the full assessment was therefore demanded and on default property sufficient to cover the arrear was attached and sold. He also shews that as Plaintiffs are non resident ryots, their Punniagar or agricultural Servant signed the Dittum or allotment accounts in their stead and that their omission

omission to receive their Puttahs pro=
=ceeded from their absenting themselves
at the time of settlement. The Puttahs were
however as usual in such cases given to
the heads of the Village for delivery to
them.-

4.

The Board propose to in=
instruct the Principal Collector to
plead in addition to the statements
advanced in his Draft that the re=
=mission of the fixed Government demand
upon land must in all cases be a matter
of indulgence and not of right and
that the refusal on the part of a
Collector to allow it, may form the
subject of a representation to this
Board or to Government, but can not
be a valid cause of action in a Court
of Law with this addition the answer
proposed to be put in by the Principal
Collector will in their opinion be suf=
=ficient and they therefore beg to recommend
that he may be allowed to file it and to
conduct the defence at the public
charge.-

Revenue Board Office
Fort St. George
27th November 1845.

Signed T. Pycroft
Secretary

Read again letter
from the Collector of Tinnivelly dated 9th
September

September and entered in Consultation 10th
Instant.

Ordered that the following letter
be sent in reply:

66

To The Collector of
Tinnevelly.

Sir.

To the Collr. of Tinnevelly ---

Para 1.

I am directed by the Board
of Revenue to acknowledge the receipt of your
letter of the 9th September last quoting the
date of authority for Pagoda and Mosque
allowances in your District and requesting
sanction for the actual disbursement on that
account in fusly 1252-53 and 54 res=
=pectively.

Calling for further ex=
=planation on the subject of Pagoda & Mosque allowances dis=
=bursed in his District in fusly 1252-1253 and 1254.

Rec'd 10th Novr 1845.

2. It appears from the correspondence noted in the Margin that Government au=
=thorized the disbursement of Cully Chuerums 84712 (Rupees 179691-15-4) on account of Pagoda and mosque allowances for fusly 1211 1801/12. which sum it would seem from your letter of the 3d June last continues to be annually dis=
=bursed from your Treasury under the above head and if to this be added Rupees 1576-12-4 on account of the two Pagodas in the Village of Caravalundeenellore in the Tunkerninarcoil

From Collr. 28th May 1802
Para 35436
To Govt. 14th November 1802
Para 14
From Govt. 17th December 1802
Para 6.
To Collr. 10th February 1803
Para 6.

in Lett. 13th June 1845

10531

Fort St. George 27th November 1815

Sunkerninarcoil Talook for which for the
forical sanction of Government was never
obtained, the total amount payable for the sup-
=port of Pagodas in your District would amount
to Rupees 1813.68—11—8. The particulars of which
are entered in the Statement which accom=
=panied your letter of the 3d June last.—
You will be pleased to state whether this
is the exact sum for the continuance of
which you now require special sanction.

3. With regard to the Mosque
allowances amounting to Rupees 1524—8—8.
the Board do not find that the names
of the Mosques &c. entered in your statement
of the 3d June last correspond exactly with
those in the Statement submitted by Mr.
* 21st Nov. 1812 Hepburn and sanctioned by Government
on the 5th January 1813. To enable the Board
to obtain sanction for the disbursement
under this head they request you will furnish
* A. a Statement in the accompanying form
explaining at the same time the cause of
of the difference between the two State=
=ments.

4 The Board observe that the sums
actually disbursed on account of Pagodas
and Mosque allowances in Fuslies 1252.
1253

10532

Fort St. George 27th November 1815

1253 and 1254 as noted in Para. 3 of your letter
under acknowledgement differ in each year
from the sums stated to be payable as exhi=
=bited in your Statement dated 3d June last.
you will be pleased to explain the cause of
the difference.

Revenue Board Office
Fort St. George .....
27th November 1815.....

/Signed/ T. Pycroft
Secretary

Names.

Fort St. George 27th November 1845

Read the following letter.

To F. Pycroft Esqr
Secretary to the
Board of Revenue
Fort St. George.

17

From the Coll.r of Tinnevelly--

Forwarding explanation regarding the allegations contained in Paras 4-5-6 and 7 of Petition No 591 of 1845.

Sir.

Para 1. In reply to the Extract from the Proceedings of the Board of Revenue under date 28th July 1845, I have the honor to forward the following explanation regarding the allegations contained in Para 4-5 6 and 7 of Petition No 591 of 1845 which formed the subject of my letter of 10th July last.

In Para 4, the Petitioner states that "he proved by accounts, that 8 "Meras-sidars / Dependants of the Huzzoor servants / "had embezzled Circar Revenue, but no notice "was taken of it, and that the Huzzoor Ser-vants resenting his proving any thing got a "notice issued against him for a balance of "Rupees 570, as outstanding against Petitioner, "on account of fusly 1249 and 1250 although "he had paid up all demand against him." This statement is quite false, the Merasidars are not dependants of the Huzzoor Servants but Copartners of the Village and the sum of Rupees 570 has been admitted as due by the Petitioner himself in a Mochilkah executed by him with his own signature attached.

Paid

Names of the Mosques &c &c as entered in Mr Thomas' Statement dated 3rd June 1845.	Annual Amount payable	Cadjy Chiefkaun	Company's Rupees	Collectors Remarks regarding the disposal of the names of the Mosques entered in the Statement dated 21st November 1842.
	Annual Amount payable	Cadjy Chiefkaun	Company's Rupees	Collectors Remarks regarding the disposal of the names of the Mosques entered in Mr Thomas' Statement dated 21st November 1842.

Fort St. George 27th November 1845

Read the following letter.

To F. Pycroft Esqr
Secretary to the Board of Revenue
Fort St. George.

10533

2/

attached.

In Para 5, the Petitioner complains "that the Collector refused to return the Puttahs "produced by him, to shew that he has paid "all his Kists, as also to give receipt for 150 "Rupees, which he has paid." This as well as the allegation contained in Para 6 is equally untrue.

In Para 7 it is stated "that "Petitions to the Collector on the above subject "were not noticed but it was published by "beat of Tom Tom that Petitioner's landed "property will be sold by auction". In reply to this I beg to state that the auction was duly published, as usual, agreeably to the Board's orders; and it was only after such measures were taken, that the Petitioner has paid up any of the arrears due by him.

The Petitioner and his father Iyoniengar are constantly in the habit, as the Board will be aware from former reports and letters, of making false complaints and repeating false assertions with most unscrupulous boldness.

Tinnevelly 6th November 1845 } /Signed/ E. B. Thomas.
Collector

Ordered.

Ordered that the following letter be sent in reply.

To The Collector of Tinnevelly.

Sir

To the Collr of Tinnevelly } 67-68

Referring to your letter of the 6th Instant, I am directed by the Board of Revenue to forward the accompanying Petitions with endorsements to be delivered to their authors Iyaryengar and Streenevasa Iyengar.

Adverting to Para 4 of your letter the Board desire me to intimate to you that the lands of the above parties cannot now be sold in virtue of the sanction granted to you 15th May 1843. Should a sale be necessary you should bring the circumstances of the case to the notice of the Board and apply to them for fresh sanction.

Revenue Board Office Fort St. George 27th November 1845 } /Signed/ T. Pycroft Secretary

Endorsement on 591 and 1507 of 1845.

"Under the explanation given by the Collector the Board see no reason to interfere."

/Signed/ T. Pycroft Secretary

Read the following letter.

To

To T. Pycroft Esqre.
Secretary to the
Board of Revenue
Fort St. George.

69

From the Collr. of Madras.

Reporting that it does not appear that it has been heretofore customary to bring bricks by Cochrane's Canal and that a modification of the present system for regulating the toll leviable thereon is for stated reasons considered inexpedient.

Sir.

Para 1. I have the honor to acknowledge the receipt of an Extract from the Proceedings of the Board of Revenue dated 30th Ultimo transmitting Copy of the orders of Government therein referred to and to report that it does not appear that it has been heretofore customary to bring bricks by Cochrane's Canal.

2. With the exception of firewood and a few other articles, the toll on Goods imported by the Canal is regulated by the number of Cart loads contained on each Boat, and it is provided by the Tariff originally framed and acted upon, and still in force that "Sundries of all Kinds" not specifically named in it, shall pay 7½ fanams per Cart load.

3. Although bricks are sold and brought by the number and not by the Cart load, yet it is known to be the Custom to pay for the carriage a fixed sum on each Cart load without reference to the size of the Cart, such Cart load being equal to 400 bricks.

If

If for instance, the hire for a Short distance be only 2 fanams, and a Cart were on that account to convey 50 bricks more the owner of the Cart would be entitled to receive 2¼ Fanams instead of 2 fanams.

The general practice, however, is to put upon a Cart only 400 bricks under an apprehension that any excess would be injurious both to the Cart and the Bullocks whatever their strength or capability may be.

5. I therefore respectfully submit, my opinion that a modification of the present system is, under the Circumstances of the case, inexpedient.

Madras 12th November 1845. /Signed/ J. A. Huddleston
Collector

Ordered that the following letter be sent in reply.

To The Collector of Madras.

To the Collr. of Madras.

69-70

Sir.

Referring to the Para 2 of your letter of the 12th Instant in which you state that with the exception of firewood and a few other articles the toll on goods imported by the Canal is regulated by the number of Cart loads contained on each Boat, I am directed to state that the

Ord. 24th Nov. 1845

the Board observe on reference to the table of rates of toll which accompanied Mr. Robertson's letter of the 6th November 1837 that many articles are therein entered which pay toll by the Para, bag, bundle, &c. and not by the Cart load - you will therefore be pleased to specify the articles usually sent by the Canal on which the toll is levied by the Cart load and to state whether there would be any difficulty in regulating the toll in each case by some determinate measure, weight, or other fixed standard in lieu of the Cart load.

Revenue Board Office
Fort St. George ....
27th November 1845.

/Signed/ T. Pycroft
Secretary.

From the Collr. of Masulipatam. Read letter forwarding a Statement shewing the quantity of Salt sold for the quarter ending 31st October 1845.

71

Order thereon. Ordered to lie over.

71-72

Read the undermentioned Lists.

From the Acting Collr. of Cuddapah. List of letters addressed to the Board and remaining unanswered to the 30th September last.

73

From Dr. of Dr. List of letters received from the Board and remaining unanswered to the 30th September last.

74

From

From the Collector of Salem. List of letters addressed to the Board and remaining unanswered at the 29th February 1844.

75

From Dr. of Dr. List of letters received from the Board and remaining unanswered to the 29th February 1844.

76

From Dr. of Dr. List of letters addressed to the Board and remaining unanswered to the 31st May 1844.

77

From Dr. of Dr. List of letters received from the Board and remaining unanswered to the 31st May 1844.

78

Orders on the Six abovementioned Lists. Ordered to be lodged in the Office.

73-79

Read the undermentioned Registers.

From the Collector of Masulipatam. Register of Endorsements passed by him on Petitions referred by the Board during the month of October last.

80

From the Hd. Asst. Collr. in Charge of Guntoor. Register of Endorsements passed by him on Petitions referred by the Board during the Month of October last.

81

From the Collector of Trichinopoly. Register of Endorsements passed by him on Petitions referred by the Board during the month of October last.

82

Ordered

Order on the three abovementioned Registers. Ordered to be lodged in the Office.

(80-83)

Resolved that the following letters be dispatched.

To

The Collector of

To the Collr. of Rajahmundry } Sir.

Rajahmundry.

(84)

Referring to Statement No. 1 which accompanied your report on the Moturpha of your District dated 26th July 1845, I am directed to request that you will report under what circumstances the Cowkeepers and Boat people are required to pay Moturpha at the high rates of Rupees 150 and 60 respectively - You will be pleased also to state whether these rates press heavily upon these classes, and if so the extent of the relief which in your opinion should be given. and you will also state with reference to the intention expressed in Para 4 of your letter dated 2d August 1845 what classes generally should be exempted from taxation altogether.

It is requested that the information called for above may be submitted without delay.

Revenue Board Office, Fort St. George 27th November 1845 } (Signed) T. Pycroft Secretary

To

Sir Cod. 4th August 1845.

To, The Collector of

Sir, Madras.

To the Collr. of Madras - - - }

(85)

I am directed by the Board of Revenue to call your attention to my letter of the 29th September last and to request that the Statement therein required of lands under this Presidency held under Government Grants may be furnished as early as practicable.

Revenue Board Office, Fort St. George 27th November 1845 } (Signed) T. Pycroft Secretary

To, The Collector of

Sir, Madras.

To the Collr. of Madras - - - }

(86)

I am directed by the Board of Revenue to forward to you the accompanying Petition with its Enclosures from one T. Soondra Moodeliar of Madras complaining of the transfer of his lands, under your orders, to a Mr. D'Silva, and to request that you will be pleased to report upon the case.

No. 1105 of 1845.

Revenue Board Office, Fort St. George 27th November, 1845. } (Signed) T. Pycroft Secretary

To,

To

The Accountant General

Civil Auditor

and

Sub Treasurer,

Committee for passing

Contingent Charges.

Gentlemen,

To the Accountant Genl, &c.a ---

87

With reference to the orders of Government of the 1st June 1841 published in the Fort St. George Gazette of the 8th of that Month, I am directed by the Board of Revenue to forward the accompanying Bills of Contingent Charges incurred in this Office for the Month of October last amounting to Rupees 15-3-6, and to request that they may be passed and returned.

Revenue Board Office,
Fort St. George,
27th November, 1845.

(Signed) T. Pycroft.
Secretary.

Received the undermentioned Miscellaneous letters and Statements.-

From the Accountant General - Indent on the Commissary General for certain Articles required for the use of the General and Revenue Departments of this Office.

88

Orders thereon -

88-89

Ordered that the original Indent be passed and returned.

From the Asst Collr in the Asst Divn of Arcot - Abstract of Demand Collection and Balance for the Month of October last.-

90

From,

From the Collr in the Sen Divn of Arcot - Abstract of Demand Collection and Balance for the Month of October last.-

91

From the Collr of Bellary - Abstract of Demand Collection and Balance for the Month of October last.-

92

From the Princl Collr of Canara - Abstract of Demand Collection and Balance for the Month of October last.-

93

From the Princl Collr of Coimbatore - Abstract of Demand Collection and Balance for the Month of October last.-

94

From the Asst Collr of Chingleput - Abstract of Demand Collection and Balance for the Month of October last.-

95

From the Asst Collr in Charge of Guntoor - Abstract of Demand Collection and Balance for the Month of October last.-

96

From the Commissioner of Kurnool - Abstract of Demand Collection and Balance for the Month of October last.-

97

From the Princl Collr of Madura - Abstract of Demand Collection and Balance for the Month of October last.-

98

From the Collr of Malabar - Abstract of Demand Collection and Balance for the Month of October last.-

99

From,

From the Collr. of Rajahmundry — Abstract of Demand
100 Collection and Balance for the Month
of October last.

From the Collr. of Vizagapatam — Abstract of Demand
101 Collection and Balance for the Month of
October last.

From the Collr. of Vizagapatam — Statement shewing the
102 average Bazar wholesale prices of Grain and
Salt for the Month of October last.

From the Asst. Collr. in the Arni Divn. of Arcot — Statement
103 shewing the average Bazar wholesale
prices of Grain and Salt for the Month
of October last.

From the Collr. in the Sri Divn. of Arcot — Statement
104 shewing the average Bazar wholesale prices
of Grain and Salt for the Month of October
last.

From the Collr. of Bellary — Statement shewing the
105 average Bazar wholesale prices of Grain and
Salt for the Month of October last.

From the Princl. Collr. of Canara — Statement shewing the
106 average Bazar wholesale prices of Grain
and Salt for the Month of October last.

From the Princl. Collr. of Coimbatore — Statement shewing
107 the average Bazar wholesale prices of
Grain and Salt for the Month of October
last.

From the Asst. Collr. of Shengleput — Statement shewing
108 the average Bazar wholesale prices of Grain
and Salt for the Month of October last.

From the Head Asst. Collr. in Charge of Guntoor — Statement shewing
109 the average Bazar wholesale prices of Grain
and Salt for the Month of October last.

From the Princl. Collr. of Madura — Statement shewing
110 the average Bazar wholesale prices of
Grain and Salt for the Month of October
last.

From the Collr. of Malabar — Statement shewing the
111 average Bazar wholesale prices of Grain and
Salt for the Month of October last.

From the Collr. of Rajahmundry — Statement shewing the
112 average Bazar wholesale prices of Grain and
Salt for the Month of October last.

From the Collr. in the Sri Divn. of Arcot — Indent for Sta-
113 tionery and Sundries required for the use of
the Offices of the Collector Sub Collector and
Superintendent of Sea Customs and Porto Novo
for the year 1846.

From the Collr. in the Sri Divn. of Arcot — Abstract of the Stationery
114 Indented for and required for the year 1846.

Order on the two abovementioned Indents — Ordered that the
113-115 Original

original Indents be passed and transmitted to the Secretary to the Military Board.

From the Collr. of Trichinopoly. Return of persons charged
116 with offences under Regulation IX of 1822 for the Month of October last.

From the Collr. of Trichinopoly. Return of persons suspend-
117 -ed and dismissed under Regulation VI of 1831. for the Month of October last.

From the Collr. of Trichinopoly. Stating that the return
118 of persons in confinement under Regulation IX of 1822 for the Month of October last is not sent there being no entry to make.

From the Collector of Vizagapatam. Informing that no
119 Petitions were received for disposal during the Month of October last.

" J. D. Drury

" N. Maclean

" Goldingham