

SELECTIONS

FROM THE

OLD RECORDS.

CORRESPONDENCE BETWEEN THE SECRETARY TO THE
BOARD OF REVENUE AND THE COLLECTOR

OF

SALEM.

FROM 1821 TO 1824.

*N.B.—These papers are merely printed for convenience of reference, and
do not acquire any special authority from being printed.*

SALEM.

PRINTED BY THE FORMAN AT THE DISTRICT PRESS

1915.

Vol. I. Part I.

215

முகவரின்
 செப்பவருவதற்காக எடுத்த
 கொள்ளப்பட்ட
 ஜூன் மாதம் 1989 வருடம்
 செப்பவரு முடிந்த
 ஜூன் மாதம் 1989 வருடம்
 முரா பிச்சி உதவியாளரின்
 னகையாப்பம்

2

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Revenue Department.

No. 100.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA. 1. I am directed by the Board of Revenue to transmit to you the accompanying questions, to which replies are requested at your earliest convenience.

2. The Board are aware that some of the queries are not applicable to all collectorships, and they are already in possession of some of the desired information—a short and explicit answer is however requested to each question, in order to enable the Board to prepare a statement which shall shew at one view the actual state of each District.

Have all the Lands—Wet and Dry been ever measured by a regular scale?

If not, has a part, and how much, and by what scale?

In what years and under what Collectors did the measurement take place?

Have all the Lands Wet and Dry been classed and assessed?

If not, has a part and how much?

In what years, and under what Collectors was the classification and assessment made?

Has the classification and assessment since undergone any and what Revision?

In what years, and under what Collectors was the revision made?

Where no Revision has been made does any appear to be required?

What is the proportion of Revenue under the Collector's management?

I am

Sir,

Your most obedient servant,

FORT ST. GEORGE,

23rd July 1821.

Despatched do.

Deputy Secretary.

Index No. 101.

Revenue Department.

101.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA. 1. I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 10th July, and with reference to section II Regulation V of 1804 to state that the Board do not find on their records any correspondence relative to the placing of the estates mentioned in the 1st para of your letter, under the Superintendence of the Court of Wards.

2. The object of my letter of 27th March 1820 to which your's is a reply, was, to ascertain the ages of the several minors under the courts guardianship—If you think it desirable that the estates of Sankerydroog and Panparapattee, should be under the courts protection and if, as the court apprehend, they have not hitherto been so placed, you will be pleased to make application to that effect in the mode prescribed by the Regulation above referred to—

I am

Sir,

Your most obedient servant,

FORT ST. GEORGE,

18th August 1821.

Despatches 20th do.

Secretary.

Index No. 146.

105

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

With reference to your letter of the 17th of July 1821, I am directed by the Board of Revenue to transmit for your information and guidance copies of the undermentioned letter
From the Secretary to the Government, 17th August 1821.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE,

23rd August 1821.

Despatched 29th August 1821.

Secretary.

Revenue Department.

601

To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

I am directed to acknowledge the receipt of your Secretary's letter of the 30th ultimo (448) and to state that, agreeably to your recommendation, the Hon'ble the Governor in Council is pleased to fix the quit-rent on the villages in Salem which have been granted to Mahomed Moosa at ten (10) rupees per annum.

I have etc.

(Signed) D. HILL,

Secretary to Government.

FORT ST. GEORGE,

17th August 1821.

(A true copy).

Secretary.

Revenue Department.

Index No. 147.

116

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. With reference to your letters bearing date 19th July and 3rd ultimo I am directed to acquaint you that the Board entirely concur in the opinion therein expressed that the adoption made by the 2nd wife of Lalaletchiram is illegal and that the grandson Latchmantal has a preferable right to the property of Lalaletchiram.

2. The Board are not however sufficiently acquainted with all the circumstances of the case to enable them to determine the course of proceeding to be adopted to enable the grandson to obtain possession. You will inform the Board in what manner the property came into the possession of the adopted son of Anundah Baye whether under the authority of the Collector or by the usual mode of succession after her death.—You will also be pleased to intimate to the Board the mode of proceeding which under all circumstances appears to you to be most proper.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE,

1st October 1821. ✓

Despatched 5th do.

Secretary.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM

Sir,

PARA 1. I am directed by the Board of Revenue to transmit to you the accompanying form of Cowle which has been approved by the Honorable the Governor in Council subject to the final approbation and sanction of the Honorable the Court of Directors.

2. You will be pleased to prepare Cowles according to this form for all Villages granted in your district to public servants in reward for their services.—The list in the margin of such lands in your district is believed to be correct, but should any grants have escaped the Board's observation, you will of course supply the omission and prepare the Cowle.

Mudcondally.
Chinna Mudcondally.
Cadaly (Agrarum).
Periya Mudcondally.
Coddallum.
Cothoccarutty.
Muthcoor.
Annucal Timmanally.
Kalli Kistnapooram.
Kulkary.
Burdamahully.
Nandeabunda.
Velagalanatcum.
Chetty Yary.
Mullembelly.
Vepatkalam.
Gullum Goontah.
Chama Gowardnoor.

3. You will be particularly careful that the two statements 1st of lands held exempt from the payment of Revenue, in the village granted and 2nd of the lands on which the rent of the village is fixed, be accurately prepared.

4. In order that you may be fully acquainted with the principles on which the Cowle has been prepared, I am directed to transmit to you the accompanying extracts from the correspondence which has passed on, the subject between the Government and the Board.

Extracts from Mr. Secretary Hill's letter
23rd February 1820, paras 3 and 4.
Enclosure 1 in Mr. Secretary Hill's letter
17th October 1820 being a letter from

Extracts from Mr. Secretary Hill's letter
23rd February 1820, paras 3 and 4.
Enclosure 1 in Mr. Secretary Hill's letter
17th October 1820 being a letter from
the Register of the said adawlet paras
7, 8, 9, 12.

To the Chief Secretary to Government
1st March 1821, paras 3, 4, 5, 6, 7.
From Mr. Secretary Hills letter 15th
May 1821, para 2.

5. It will be proper that a correct Register be kept by you in the form annexed in order to shew the lapse of any life and the succession of the next heir, until the number of persons in succession who are entitled to hold the land on favorable tenure, shall have been completed, and the land shall become assessable with its full beriz—after which period it will cease to be entered in the list of service lands. An extract from this Register should annually accompany your Jummabundy statements.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE.

30th July 1821.

Despatched 20th August 1821.

Secretary.

DISTRICT OF

Register of Lands granted for lives on favorable tenure, shewing the lapses of lives,
and the time of their becoming liable to full assessment.

Names of the villages.	To whom granted and date of grant.	Heris fixed at the time of the grant.	Amount of revenue remitted to the original grantee and his (2) heirs in succession.	Reserved rent payable by the grantee and his (2) next heirs.	Successor to first grantee and date of lapse by which they became successively possessed of the lands on favorable tenure.	Date of the final lapse on favorable tenure whereupon the village is assessable at the full beris.
1	2	3	4	5	6	7

4

The Governor in Council of Fort St George, (acting for and on behalf of the Hon'ble the united company of Merchants of England trading to the East Indies) in consideration of the services of A. B. has been pleased to grant and does hereby grant to the said A. B. and to his heirs and successors for ever (subject to the approbation and confirmation of the Hon'ble the court of Directors of the said united company) all rents or revenues payable to the Government either in money or in kind for and on account of the lands situate in the villages of C. D. in the Zillah of E. F. to be held and possessed by the said A. B. and his heirs and successors for ever upon the conditions and with the reservations hereunder specified that is to say

1. That the said A. B. during his life, and after his demise the two next immediate heirs in succession of the said A. B. during their lives respectively shall pay to such public officers as may be authorized by the Government to receive the same, the annual sum of Madras Rupees—in such kist and at such times and periods as may be determined by the Collector according to the general kistbandy of the District.

2. That after the demise of the said A. B. and of his two next immediate heirs the annual sum of Madras Rupees—shall be paid as aforesaid by the heirs and successors of the said A. B. for ever in such kists and at such times and periods as may be determined by the Collector according to the general kistbandy of the District.

3. That the said annual sums shall be paid regularly in all seasons; and that the said A. B. his heirs and successors, shall not be entitled to claim any abatement or remission thereof on account of drought, inundation, or any calamity of the season whatsoever.—

4. That it being the true intent and meaning of all grants of this nature that the rights and privileges thereby conferred should be held and enjoyed by the original grantees, their heirs and successors for ever, the said A. B. his heirs and successors shall not alienate by gifts or sale, or otherwise transfer to or in favor of Pagodas, Bramins or Mosques or for any purpose whatever, the whole or any portion of the rights and privileges granted by this deed—provided, however, that the said A. B. his heirs and successors each for his respective life, shall be competent to assign the rents and revenues derivable from the said village or any portion thereof for the discharge of debts and obligations contracted by him or them respectively, due provision being made for the payment of the stipulated Kists as aforesaid and provided also that it shall be competent to courts of Justice to order and decree the transfer of the said rents and revenues in satisfaction of debts and obligations contracted by the said A. B. or any of his heirs and successors respectively, due provision being in like manner made for the payment of the stipulated Kists; but all such assignments and transfers shall cease and determine with the life of the party for the discharge of whose debts and obligations they are made, and the interests conveyed by this grant shall descend free and unincumbered to the new heir in succession.

5. Nothing contained in this deed shall be construed to convey to the said A. B. his heirs and successors any right or title to the revenue derived or derivable from the monopoly and sale of salt, from sair or custom duties of all descriptions, whether by sea or land, from Abkari or tax on the sale of spirituous or fermented liquors and intoxicating drugs, from the excise on commodities or articles of consumption, for taxes personal and professional, or from taxes on markets farms and bazars—Nor shall the said A. B. his heirs or successors have authority to buy or receive any tax or contribution whatever save and except the Government share of the land revenue payable on account of the land herein before specified and such quit rents as are hereinafter mentioned.

6. Neither shall anything contained in this deed be construed to authorize and entitle the said A. B. his heirs and successors to levy rents or revenues from lands which are at present exempted from the payment thereof a statement whereof is contained in the annexed schedule No. 1 nor to receive the quit rents payable for and on account of lands favourably assessed, save and except such quit rents as shall have been included in the assets upon which the annual rent of the said Village of C. D. has been fixed, a statement whereof is contained in the annexed schedule No. 2 and in such last mentioned case the said quit rents shall be payable to and receivable by the said A. B. his heirs and successors without being liable to be changed.

7. Neither shall any thing contained in this deed be construed to authorize and empower the said A. B. his heirs and successors to infringe the just rights and privileges of the Ryots, nor to interfere with the free and unmolested prosecution of their labour and the disposal of the produce thereof nor to infringe the rights and privileges of the Village servants, enjoyed by them according to established and approved custom, nor to interfere with or disturb any persons holding Mauniums or Enams of any descriptions in the said Village—all such rights privileges and enjoyments being reserved in full to the persons aforesaid. But on the demise of a person holding a Maunium or Enam in the said Village by which demise such Maunium or Enam according to the tenure by which it was held shall revert and become lapsed to the Government the said A. B. his heirs and successors shall report such lapse to the Collector of the District, and the authority of the Board of Revenue being first had and obtained, it shall be lawful for the said A. B. his heirs and successors to enter upon possession of such Maunium—or Enam lapsed as aforesaid.

8. It is further more declared that in default of heirs of the said A. B. the rights and privileges conveyed by this grant shall revert and become lapsed to the Government and that on the failure of the said A. B. his heirs and successors or any of them to discharge the stipulated kists as aforesaid, or to perform the duties of allegiance as true and faithful subjects of the British Government the rights and privileges conveyed by this grant shall be forfeited.

9. And whereas the Honorable the court of Directors of the said united company have reserved to themselves the right to give or withhold their sanctions to grants of public revenue by the Governor in Council of Fort St. George in reward of services performed and whereas the present grant is made to the said A. B. his heirs and successors for ever, subject to the confirmation of the said Hon'ble the court of Directors, and whereas it is necessary for the security of said A. B. his heirs and successors that some term should be fixed for the exercise of the right reserved by the Hon'ble the court of Directors as aforesaid—It is hereby declared that this grant shall be held and considered valid for the term of—years from the date hereof; but if the Hon'ble the court of Directors aforesaid shall see fit to disapprove and annul this grant, and such disapproval shall be signified to the Governor in Council and notified by the Government of Fort St. George or their authorized public officers to the said A. B. or the holder of the grant for the time being before the expiration of the said term of—years, then the said A. B. or the holder of the grant for the time being shall relinquish and give up the said Village of C. D. to the said officers of Government on the expiration of the term aforesaid he the said A. B. or the holder of the grant for the time being receiving and being entitled to have all the benefits of this grant accruing up to the expiration of the aforesaid term of—years from the date hereof and this grant shall then become void and of no effect. But if the said Honorable the court of Directors shall sanction and confirm this grant, or their disapproval thereof shall not be notified as aforesaid to the said A. B. or the holder of the grant for the time being within the said term of—years from the date hereof, then this deed shall be and remain in full force and virtue.

In witness whereof we have hereunto set our hands and seals at Fort St. George this—day of—in the year of our Lord.

Deputy Secretary.

Revenue Department.

83

To

THE CHIEF SECRETARY to GOVERNMENT.

Sir,

PARA. 1. With reference to the letter from the Secretary to Government in the Revenue Department, under date the 28th July last, I am directed by the Board of Revenue to request that you will lay before the Honorable the Governor in Council the accompanying letter from the Collector of Salem, transmitting a statement of the Villages which Nunjuppiah is desirous of holding on shrotrium tenure.

2. These villages are 15 in number—in 9 of them the cultivation is stated to be entirely Nunjuppiah's in three there are few cultivators besides himself—and in three he or his ancestors originally constructed and have kept in repair the tanks.

3. The average Bariz for the last three fushies is Rupees 5,674-2-0 the amount of the Bazar and Loom tax (Moturpha) Ennam Jodigy—and servants pay for fushy 1229 is Rupees 573-9-3, which the Board conclude must be deducted from the Gross Jumma according to the practice hitherto observed in similar cases leaving the net value of the villages Rupees 5,100-8-3.

4. It will remain for the Government to determine what portion of this sum shall be given up to the shrotriumdar.

(Signed)

R. CLARKE,

FORT ST. GEORGE,
5th February 1821.

To

THE PRESIDENT AND MEMBERS

OF THE
BOARD OF REVENUE.

Gentlemen,

I am directed to acknowledge the receipt of your Secretary's letter of the 5th ultimo (88) and to state that the Honorable the Governor in Council entertains the highest opinion of Nunzaph's merits and public services and considers him eminently deserving of the favour and bounty of Government. The Governor in Council accordingly approves of the proposed grant of the Villages which he has selected, under the denomination of Jageer or Shrotrium as he may prefer, for his own life, and that of two successors. With respect to the amount of rent to be remitted, the Governor in Council desires that it may be fixed at three thousand five hundred (3,500) rupees. You will however take care that that remission is real and not merely nominal, and for that purpose will satisfy yourselves that the average collections of the three last years can be relied on for the future.

(Signed) D. HILL,
Secretary to Government.

FORT ST. GEORGE,
6th March 1821.

(True copies.)

Deputy Secretary.

Index No. 149.

Revenue Department.

125

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. I am directed by the Board of Revenue to transmit for your information and guidance the accompanying correspondence between the Government and the Board relative to the suit instituted in the Zillah Court against the Collector by certain Bamboo renters.

2. You will clearly understand that it is not intended to justify the act of which the parties complain, altho' the amount of compensation claimed cannot be considered due.

3. The Board have little doubt that your Zealous endeavours will be used to effect a compromise on reasonable terms. It is very desirable that the Government should not be brought as parties into Courts of Justice, except where the acts of their servants, though impugned, are substantially right and legally defensible.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
19th March 1821.
Despatched 29th do.

Secretary.

131

To

THE CHIEF SECRETARY TO
GOVERNMENT.

Sir,

PARA 1. I am directed by the Board of Revenue to acknowledge the receipt of Mr. Secretary Hill's letter of 27th March 1820, referring for report a plaint filed in the Zillah Court of Salem in November 1818 against the Collector of that Zillah and the Tahsildar of Nancul Talook by Rama pillay one of two joint renters of the trees and bamboos growing in a certain district in that talook.

2. The plaintiff states that, he and his partner having rented the above for three years at the rate of 750 Pagodas per annum and having given security and deposited 100 Pagodas continued in the enjoyment of the rent for one year, when a dispute arose between him and his partner, whereupon he applied to the Tahsildar to divide the rent into equal portions between them, which was accordingly done, each party gave security and the plaintiff was in possession of the divided rent for two months, when it was taken from him by order of the Collector. The plaintiff therefore claims to recover 50 Pagodas being half of the sum deposited, and six hundred and fifty pagodas on account of the loss sustained by the resumption of the rent.

3. The report of the Collector of Salem confirms the truth of the allegations in the
10th August 1820.
plaint, and states the resumption of the lease to have been ordered by Mr. Hargrave on the Tahsildar's reporting to him that he had divided the rent between the contentious renters. In this resumption the Collector was clearly not justified. He should have ordered that the renters be kept to the terms of their joint cowl, if he disapproved of the division of the rent. But as the parties had not failed in their contract, they could not justly be deprived of their cowl.

4. Under the peculiar circumstances of the case the Board under date the 4th of December directed the Collector to endeavour to effect a compromise with the plaintiff who, it is stated, now agrees to accept one half of the demand or 375 Pagodas.

5. The Collector states this sum to be considerably more than the plaintiff would in a court recover but he has not enabled the Board to judge of the correctness of this opinion, by any statement of the probable or average produce of the bamboo jungle rented to him.
7th February 1821.

6. The Board beg to propose that the Collector be directed to endeavour to make a fair compromise, having clearly ascertained what was the probable extent of the utmost loss the Plaintiff could have sustained by the resumption of his lease—or if the Plaintiff's terms should still appear exorbitant in that case only that he be allowed to defend the suit, of which the cost, in such case must of course be defrayed by Government.

7. It may possibly be found practicable to offer the same rent on favourable terms, in shares to the two former renters, in which case they would probably relinquish their claim for compensation.

8. It will rest with the Governor in Council to determine whether they will hold the late Collector of Salem answerable for any loss that may be sustained in consequence of his improper and unjust act.

(Signed) R. CLARKE,
Secretary.

FORT ST. GEORGE,
15th February 1821.

No. 223.

To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

I am directed to acknowledge the receipt of your Secretary's letter of the 15th ultimo (131) and to state that the Honorable the Governor in Council entirely approves the compromise therein recommended and desires that the necessary instructions for carrying it into effect may be given to the Collector of Salem.

(Signed) D. HILL,
Secretary to Government.

FORT ST. GEORGE,

16th March 1821.

(True copies.)

Deputy Secretary.

Index No. 150.

Revenue Department.

126

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1st. With reference to your letters bearing date 10th July and 23rd August, I am directed by the Board of Revenue in their capacity of Court of Wards to transmit copy of a letter from the Secretary to Government in the Revenue Department conveying authority for taking the minor estates of Sunkerrydroog, and Pauparapatty under their charge.

2. Agreeably to the recommendation contained in the 2nd para of your letter under date 10th July the Court authorize you to appoint under the provisions of Regulation V, 1804 the Tahsildars of the Districts in which the estates are situated to be managers of the property of the minors on a salary equal to the pay of a Potta-Monegar provided this allowance be in proportion to the extent of the trust.

3. They further authorize you to appoint the persons specified in the 3rd para of the letter above quoted to be guardians to the minors respectively.

4. On the subject of the appropriation of surplus funds, you are referred to the Circular Orders under date the 15th May 1817.

FORT ST. GEORGE,
5th November 1821.
Despatched 13th do.

I am,

Sir,

Your most obedient servant.

_____,
Secretary.

Revenue Department.

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To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

I am directed to acknowledge the receipt of your Secretary's letter of the 4th instant (574), and to state that the Hon'ble the Governor in Council authorizes you to take the Sunkerrydroog and Pauparapatty mootahs in the District of Salem under your charge as Court of Wards.

FORT ST. GEORGE,
19th October 1821.

I have etc.

(Signed.) D. HILL,

Secretary to Government.

(True copy.)

_____,
Deputy Secretary.

To

THE PRESIDENT AND MEMBERS

OF THE

BOARD OF REVENUE.

Gentlemen,

I am directed by the Honorable the Governor in Council to transmit for your information and guidance copies of the undermentioned letters, viz. —

1. To the Board for preparing Regulations dated the 16th of February last.
2. From do. dated the 8th instant.
3. To do. of this date.

You will use as much in conforming the information desired by the Board for preparing Regulations in such manner as you may judge most expedient.

Fort St. George,
21st September 1831.

(Signed) D. HILL,
Secretary to Government.

No. 1.

To

THE BOARD FOR PREPARING

REGULATIONS.

Gentlemen,

PARA 1. The Government being desirous of maintaining the ancient families of distinction in these territories, in their former dignity and affluence, by securing to them, and their families, permanent possession of their Zamindaries and territorial rights; of upholding ancient usage; of removing any doubts, which may have arisen, under the various interpretations, understood to be given to the Regulations, from the usage of the country and family, with regard to inheritances, being in many cases different from the general rule of Mohomedan, or Hindoo law; and of preventing family dissensions, law suits and disturbances, which this uncertainty has tended to produce; of recurring to a mode of collecting the pesh-cash from Zamindars, less harsh, and more consistent, with former usage, than the sale of their Zamindaries for arrears of revenue; of putting a stop to usurious dealings, which produce disputes, law suits, loss and expense, to both parties, and in the end must occasion the general transfer of these ancient Zamindaries to other families; and of providing more effectually for the preservation of the peace in such Zamindaries, the Honorable the Governor in Council has been pleased to direct, that a Regulation, with regard to the succession in such families, the mode of recovering arrears of revenue and private debts from the ancient Zamindars, of proceeding against them in certain cases, when accused of crimes, and for the management of the police in such Zamindaries, within the territories dependent on Fort St. George.

2. You will prepare this proposed Regulation with a preamble to the effect of the preceding paragraph and proceed to explain.

3. First, That no Regulation enacted by this Government shall be held to alter the usual law and custom, with regard to the succession in such families; but that, in the families of all Rajahs, Zamindars, Jagredars, Poligars, and other native chiefs, who have been usually considered the Heads of Families, Officers, Tribes and Families, in which, it has been usual not to divide the family property on the demise of the Head of the family, the eldest son, or otherwise the next heir, according to law and usage and right reason, shall continue, when not disqualified, to succeed to the rank and possessions of the family; except in cases where a contrary usage may have prevailed, or where the deceased Head of the family may, with the consent of the Government, when that consent may be necessary, have made any other lawful arrangement for its disposal. But as the Zamindary is an office, which requires personal capacity and activity and the interests of the Government and the happiness

of the Ryots depend on the efficiency of the Zamindar, it will be necessary that the Governor in Council should determine in cases, where, it may be supposed the next heir is disqualified—individuals disqualified by the Government shall be set aside, in favor of the next heir—woman except in particular cases, to be determined by the Government, shall generally be considered disqualified from their weakness and the seclusion in which they live, women of rank are in general incapable of performing the duties of a Zamindar—loss, inconvenience, confusion and sometimes disturbances ensue in consequence of their incapacity.

4. It will be proper to add for the sake of general information and the prevention of disputes, that the Head of the family will of course, continue bound, according to law and usage, to make a reasonable provision, for the members of it; and that the other members of the family will also receive such a share of any property, which may be clearly shewn to be strictly personal, as they may be entitled to by the usage of the country and family, and the Hindu, or Mahomedan law; as far as the law may be consistent with such usage, and right reason; or by the gift of the Head of the family, such gift being agreeable to law, and usage, and right reason—as the Government, and the Ryots who produce and pay their revenue, are so deeply and immediately interested in preventing feuds and disputes in the families of Zemindars, which so often extend to the districts, and produce confusion, loss, inconvenience and frequently disturbances, the amount to be allotted for the maintenance of members of the family who may separate themselves from the Zemindars, and also their share of any separate property, shall be settled by the collector under the orders of the Board of Revenue, and the Government nor shall there be any appeal from the decision of the Government, the collector will of course refer such cases when proper to a panchayet. It will be necessary to provide especially, that all state equipages, elephants, horses, furniture, arms, and all family utensils, idols, books and jewels shall go with the Zemindary, because such articles are essentially necessary to maintain the respectability of the samastan.—

5. It will also prevent mistakes, disputes and law suits, to declare these rules also applicable to all pensions granted by the Government to such families, and to the malikanah, or other provision for the maintenance of such families, payable from the revenue of their Zemindaries, when such Zemindaries may happen to be under the immediate management of the sirkar officers, on account of arrears of revenue, or other causes; unless the Government should see fit to reduce, resume, or divide, or make any other special arrangement regarding such pensions, or provisions—but it would be proper to insert a clause explaining that nothing in the proposed Regulation shall be construed to alter the rule of succession, in families, in which the family property may have been usually divided, or disposed of in any other manner, according to Mahomedan or Hindu law, or other law, or reasonable local, or family usage.

6. **SECONDLY.** You will declare that it is the intention of the Government not to allow in future of the sale, of ancient Zemindaries, for arrears of revenue, and you will rescind such parts of the Regulations as may prescribe this mode of recovering arrears of revenue from ancient Zemindaries, and provide that where the Zemindar, in such ancient Zemindaries may fail to pay the permanent peshcush, the collector shall sequester the Zemindary, or such part of it as may be necessary, with reference to the amount of the balance, and take it under sirkar management, as before the enactment of the Regulations, until the arrears be paid off and the Zemindar, or if he should be considered disqualified by the Government one of the family may satisfy the Government of his ability to manage the Zemindary beneficially, to the family to the Ryots, and to the Government you will add that in all such cases, the Government will allow a suitable maintenance to the family chargeable to the Zemindary, according to former usage, where their conduct may be such as to merit such consideration. It will be proper to declare generally that it is the wish of the Government to maintain the ancient families in their Zemindaries; but when the individual holding the Zemindary, may fail in his engagements, duties, or allegiance, he will be considered to have forfeited his right to the Zemindary, and that his restoration, or that of one of the family, and the grant and the amount of the malik and will depend entirely on the favor of the Government, and that in such cases the Government reserves to itself the power of altering the permanent peshcush.—

7. **THIRDLY:** You will declare that the Government has observed with concern the ruin of some of these ancient families, by the transfer of the Zemindaries to others, and considers that, however able the present Zemindars may be, and however good their management, it is to be apprehended that in the course of time, some individual of their family holding the Zemindary must be expected, in the common course of events, to be imprudent and incapable, and that under the present system, such an individual, would have it in his power, and would probably ruin the family for ever, by alienating the Zemindary; and that therefore the Government has determined to provide that all ancient Zemindaries for which no permanent sunnuds may have been already given, all Jageers, all service Enam lands, and generally all territorial possessions attached to officers, shall not be saleable, or transferable, or in any way answerable for private debts, or in any other way alienable from the ancient families, in which such offices have been hereditary, except when forfeited for failure of engagement, or service, or allegiance, to be determined by the Government; or when lawfully transferred

with the consent of the Government, and that the same principle shall also be extended to all ancient Zemindaries, for which the permanent sunnuds, or sunnuds Milkent Istimrar, may have been granted; provided, the Individual now holding the sunnud, shall signify his consent in writing, to resign the power of disposing of the Zemindary by sale, gift or otherwise, vested in him by the sunnud Milkent Istimrar. The Collector will receive and report to the Government such written agreements; and a list of Zemindars holding under this entail tenure will be formed, to prevent doubts in future.—It is not the intention of the Government, that this law of entails, and the other provisions of this Regulation, should apply to any families, but those ancient families, in which the Office and the territorial rights have heretofore been hereditary; and by no means to Moolahdars, and persons who have newly purchased Zemindaries, or other landed rights.—You will particularly observe that the Government restrict the principle of entail, now to be established, strictly to ancient Zemindari families, in which such a principle has usually prevailed, and to such other families, as from circumstances, or their services, it may be considered proper especially to extend it; the Governor in Council will determine what Zemindari families are entitled to these privileges.—Service Enamdars, and those holding Offices to which lands are attached, not being ancient Zemindars paying peshcush to Government, nor the Heads of old families entitled to such distinction, will not enjoy any of the other privileges now to be given to entail Zemindars, excepting that their service lands, will not be liable to be sold for private debts.—Zemindars who may have received permanent sunnuds, and may not approve of the entail system now proposed, will of course continue subject to the present Regulations; and their Zemindaries will continue liable to be sold for private debts.

8. Neither shall the persons of entail Zemindars be liable to arrest for any private debts or judgments in any Civil suits, but the amount which may be awarded against any such Zemindars by the Collectors acting under the orders of the Board of Revenue and the Government on account of the provision to be made for other Members of the family, or in other cases in which the Collector is competent to decide, or for damages for injuries, awarded either by the Courts or the Collector or for any other personal debts which the Courts or the Collector are competent to settle, shall be recovered by the Collector in the same manner as arrears of revenue by distraint and sale of any personal property of the Zemindars not immediately connected with and necessary to the discharge of the duties, and the maintenance of the respectability of their Zemindari office, within the reach of the Collector; and if that should not be sufficient to meet the demand, by sequestering part, or the whole of the Zemindari, and appropriating to that purpose any surplus collection due to the Zemindar, after paying the public revenue, and what may be deemed a suitable maintenance for the family of the Zemindar; but the Zemindari itself shall not be considered in any way answerable for the amount of such awards, if it should be sequestered, or forfeited, in consequence of the Zemindars failing in his engagements, duty, or allegiance—in such cases the amount of the surplus collections due to the Zemindar up to the date of the sequestration or forfeiture only shall be applicable to the discharge of such awards, unless the Government should see fit to pay the amount. The sources of the public Revenue cannot be held answerable to an unlimited extent, and for an unlimited time, for private debts.

9. You will observe that ancient zemindaries, for which no permanent sunnuds have yet been granted, and service inam lands, and other official and territorial hereditary rights of the description adverted to, will not in any case be answerable in the courts for private debts, and the other ancient zemindaries also for which permanent sunnuds may have been granted, when the present zemindars may consent to the entail of their zemindaries now to be established will not in any case, or in any way be answerable for private debts, contracted before such permanent sunnuds were granted, nor for private debts contracted after the individuals now holding such sunnuds, may according to the entail principle now to be established, signify their consent to resign the power of alienating their zemindaries, vested in them by such permanent sunnuds.

10. It may be supposed that soukars who may have lent money to zemindars, during the period their zemindaries were held under the terms of the present permanent sunnuds, and were alienable for private debts, were partly encouraged to advance their money by the means of recovery held out by the present Regulations, by the eventual sale of such zemindaries, to satisfy decrees of courts. It is true that soukars were perhaps equally ready to lend their money before the establishment of the courts, it may be presumed they depended chiefly on the honor of the zemindars, or were tempted to risk their money, by the exorbitant interest and bonus which they usually insisted upon; but it may now be considered the zemindaries are in some measure answerable for private debts, contracted during the period the zemindars held the present permanent sunnuds, and it might in some cases be unjust towards the creditors, to declare, that no ancient entailed zemindary should be in any case sold, without at the same time making provision for the liquidation of such fair debts. The Governor in Council therefore desires you will provide, that, in all cases, when private creditors may obtain judgments against ancient zemindars, who may have consented to entail their zemindaries, for debts actually contracted during the period they held their zemindaries on the terms of the present permanent sunnuds, and for which debts these zemindaries may be fairly

considered mortgaged, and for such debts only, the amount decreed to be paid by such zemindar shall be recoverable, not by the sale of the zemindari but by the Collector, in the same way, as an arrear of revenue; and that until it be paid, the sirkar officers shall take the zemindari under management, and pay the creditors the surplus collections from the zemindari, which may remain after realizing the public revenue, and paying the zemindar, what may be reasonable, for the maintenance of his family—the sum to be allowed for the maintenance of the zemindars family shall be fixed by the Collector under the Board of Revenue, and the Governor in Council, with reference to the amount of the debt, the surplus collections of the zemindari, and the rank, wants and conduct of the family of the zemindar, as when the zemindari is sequestered for arrears of Revenue—this is strictly consistent with the usage and feelings of the country, which never supposed the family of the zemindar should be reduced to beggary, in consequence of imprudence in money transactions, connected with the payment of his revenue, which it was always supposed the sirkar, acting with superior power and wisdom, and patriarchal consideration for its zemindars, and rayets, ought, by its timely interference, to have prevented going to such an extent. This mode of recovering private debts as experience has shewn will also be most advantageous to the creditors, you will observe it is the wish of the Government that the Collectors should assist the fair creditors in recovering private debts of this description, without the expense, loss, and irritation, occasioned by a law suit and in order to make the intention of the Government understood, and to encourage private creditors of such zemindars, and the zemindars, themselves to come to such private settlement, you will insert a clause directing and empowering Collectors, under the Board of Revenue and the Government, to decide finally on all such cases, when the parties may agree to abide by their decision—you will provide that the Collector shall refer the case to a punchayet, when there may be any difficulty in the settlement of the accounts or any other difficult question, in cases in which such a mode of settlement may be agreeable to the parties. The zemindari however shall not be in any way answerable for any other debts, besides those for the payment of which it may be clearly shewn to have been virtually mortgaged and liable at the time they were contracted, but not for the amount of bonds or claims, composed of old balances, due, or said to be due before the permanent settlement was made, for which no new bonds may have been obtained since the settlement was made in cases where the claim is composed of old balances and new advances, since the permanent settlement was made, it will be necessary to investigate the accounts, and separate the old, from the new debts, and the zemindari will be answerable for the amount of the new debts only. In the same way the amount of usurious interest and the bonus, which the zemindars in many cases paid on obtaining loans, must be carefully investigated; and the courts, or the Collector, in cases where he may have the settlement of such claims, will either reject such demands, on the grounds of the usury, or at least reduce the amount due for interest to the lawful rate. It is necessary for you particularly to observe that the zemindari itself shall not be answerable in any way, for any debts except those actually contracted after the permanent settlement was made, and before the zemindars agreed to the proposed entail system.

11. Fourthly. As the regulations are now in some cases interpreted, the magistrate may conceive he is compelled immediately to issue a warrant for the apprehension of all natives, without regard to rank, or other consideration who may be charged by any person, from whatever motive, and under whatever circumstances, of a serious crime, the Government consider that some consideration should be shewn to Rajahs and men of rank, who are liable to false charges, brought forward by their enemies, or to extort money from them supposing them innocent, the very issuing a warrant and bringing them personally before the magistrate, is productive of inconvenience and expense, and with their prejudices, is considered a disgrace and is a severe punishment, the Governor in council therefore directs that you will insert a clause in the proposed Regulation, declaring that such Rajahs, Heads of sumastans, and zemindaries and other native chiefs and particularly women of condition, as may from their rank, or antiquity of family, or the custom of the country, be entitled to peculiar indulgence; shall not be liable for any cause whatever, to be summoned to appear personally in any court, without the previous authority of the Government.

12. In the event of such Rajahs or chiefs being charged with crimes of a serious nature, the Magistrate will cause the Rajah to appear by Vakeel instead of personally and proceed in other respects according to the process prescribed in the present Regulations, to investigate the matter, and report the result with his proceedings for the final orders of the Government; but the servants and adherents of the Rajah will of course continue to attend in person when summoned, and remain in all respects, as at present amenable to the Regulations, like any other subjects.

Fifthly. As in many ancient Zemindaries the attempt to establish the police officers of the Magistrate tends to excite dissension and to harass the inhabitants and answers no useful purpose, and as the police can only be administered efficiently by the Zemindar himself, with the aid of his own people, it will be advisable to leave the management of it entirely in his own hands—section XXXVIII Regulation XI 1816, was intended to restrain the interference of the Magistrate in the police of the ancient Zemindaries but it is necessary to declare by a positive enactment that the Rajah or Zemindar shall now in certain

Zemindaries, as the Governor in Council may determine, have the sole charge of the police, and conduct it with the aid of his servants and the people of the country according to the usage of the country. You will endeavour to state a few simple and clear rules which may check abuse of authority on the part of the Rajah and his servants, without lowering their authority, or harassing them, with unnecessary forms and reports; but, it may at first be sufficient merely to declare that the Rajah shall afford all the aid and information in his power to assist the Magistrate in preserving the peace, and that he shall apprehend and send all offenders to the Magistrate, who shall proceed against them according to the Regulations.

13. The Rajah should be declared liable to fine and ultimately to the forfeiture of his Zemindary for any misconduct, a small fine might be left to the Collector, but large fines and the forfeiture of the Zemindary should be adjudged by the authority of the Governor in Council, only.

14. It may be proper in some cases for the Zemindars to continue to collect the moturpah with the land revenue according to custom, you will therefore examine the Regulations and the permanent sannud, and if it should appear that there is any clause prohibiting them from collecting the Moturpah, you will repeal it, and leave this branch of the revenue to be conducted by the Zemindar, or other revenue officers, as may seem expedient to the Government.

15. You will in communication with the Board of Revenue prepare a list of the individuals and estates to which the provisions of the proposed Regulation will be applicable.

Fort St. George,
16th February 1821.

(Signed)

D. HILL,
Secretary to Government.

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To

THE CHIEF SECRETARY to GOVERNMENT.

Sir,

PARA 1. I am directed by the Board for preparing Regulations to acknowledge the receipt of Mr. Secretary Hill's letter of the 16th February last, communicating the sentiments of the Honorable the Governor in Council on the expediency of upholding the dignity and affluence of the ancient Zemindary Families, and directing the Board to draft a Regulation with regard to the succession in such families, the mode of recovering arrears of revenue and private debts from the ancient Zemindars, of proceeding against them in certain cases, when accused of crimes, and for the management of the police in such Zemindaries.

2. It is proposed, the Board observe, to alter the present Regulations in several very important particulars affecting the tenure of the Zemindaries possessed by ancient hereditary families and to render them more consistent with the feelings of the people and ancient usages of the country and a modified settlement in the nature of an entail on the principles laid down in the letter now before the Board, is to be made in regard to all ancient Zemindaries for which no permanent sannuds may have been already given as well as in regard to all other ancient Zemindaries, the proprietors of which, now holding the sannud i milknt i Insitimar, shall signify their consent in writing to resign the power now vested in them of disposing thereof by sale, gift or otherwise, and to accept the new sannud.

3. It is proposed, with the view of more effectually protecting the hereditary property of Zemindars from being broken up, and the dignity of the family from being thus annihilated that such hereditary property should be declared not answerable for private debts henceforth contracted.

4. In regard to debts now due it is proposed that they should be liquidated by the Collector from the surplus revenues of the Zemindary, to be taken under his management for that purpose.

5. With reference to the terms of the deed of permanent settlement, conferring on the Zemindars the most absolute and entire power over the property which it grants to them, (subject only to the regular payment of the Beriz assessed and to the performance of the duties of allegiance) and rendering the Zemindary saleable in whole or in part, as should be necessary in discharge of debts as well private as public, the consent of creditors is equally necessary with that of the Zemindars in all cases, where Estates may be involved in debts of which the payment may now be enforced by sale of the landed property.

6. The mode of liquidation proposed in the 10th Para of the letter now under consideration is most desirable for the interests of the debtor, and equitable as it relates to the creditors, who will have much better security than they now possess for the punctual discharge of their dues by such instalments as may be fixed and the Government who with the most liberal and generous policy consent to forego their own right of selling such Estates for arrears of revenue, a kind of debt which has precedence of all other are peculiarly entitled to step in between the debtor and creditor to save the former from degradation and ruin—still under the terms of the permanent settlement the Board are of opinion that the consent of the creditors should be obtained.

7. There can be little doubt that on a discussion of the proposed principles and the proposition of securing payment by instalments, creditors would gladly agree to waive a right, which in many instances could be of no avail to them—for if creditors resort to sale, the claim of Government having the precedence, no advantage can be derived to them till the demands of Government are satisfied.

8. It seems to the Board therefore to be desirable that before passing a Regulation on the future tenures, of Zemindaries communication be had with some of the principal Zemindars themselves (especially those whose estates are involved) and the principles and measures proposed have been explained to them and assented to by themselves and by their creditors.

9. Impressed with these considerations the Board have thought it their duty, before proceeding further to lay before the Honorable the Governor in Council the view they have taken of this important subject, and to solicit the honor of his further directions.

FORT ST. GEORGE,
8th September 1821.

(Signed) R. CLARKE,
Secretary.

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To

THE BOARD FOR PREPARING

REGULATIONS.

Gentlemen,

I am directed to acknowledge the receipt of your Secretary's letter of the 8th instant replying to the instructions addressed to you under date the 16th of February last. The Board of Revenue will be desirous to cause such Collectors as may seem to them proper to hold the communication suggested in the 8th paragraph of your Secretary's letter, and the result of it can be reported before the Regulation is ready to be passed after the delay which has already occurred, however the Governor in Council is desirous that you should proceed in preparing the Regulation, the provisions of which do not seem liable to be materially affected by the result of the proposed communication. It is accordingly hoped that the draft of the Regulation may at an early period be laid before Government.

FORT ST. GEORGE,
21st September 1821.

(Signed) D. HILL,
Secretary to Government.

(True copy.)

_____,
Deputy Secretary.

Index No. 153.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

With reference to my letter of the 22nd of October 1821, I am directed by the Board of Revenue to transmit for your information and guidance copy of the undermentioned Letters:

From the Secretary to Government 7th December 1821.

FORT ST. GEORGE,
10th December 1821.
Despatched 18th do.

I am,

Sir,

Your most obedient servant.

Secretary.

Revenue Department.

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To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

PARA 1. I am directed to acknowledge the receipt of the extract from your Proceedings under date the 4th of October, reporting on the settlement of Salem for fussy 1230 and on the future settlement of that district.

2. With respect to the Poramboke lands, the Governor in Council agrees in your opinion that, if not expressly, they were at least understood to be included in the permanent settlement, and therefore that no objections should be made from them on account of the circular—with respect to the mocturpale, it is observed to be stated in your Proceedings that it was included in the assets on which the permanent assessment was calculated, but no similar statement is formed in the collector's report. Further enquiry should be made in order to ascertain whether it was included or not as that fact is considered to be decisive of the question at issue. If it was so included, the mootahdars should be allowed to collect it, but otherwise they have no right to the collections.

3. The Governor in Council approves of your observations with regard to the lands which were allowed by the former collector to be cultivated on cowle in the Ahtar talook, and also to the principles on which the present collector proposes to conduct the settlement of such parts of the district as have reverted to Government.

(Signed)

D. HILL,

Secretary to Government.

FORT ST. GEORGE,
7th December 1821.

(True copy.)

Deputy Secretary.

Index No. 155.

Revenue Department.

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To

THE COLLECTOR IN THE ZILLAH OF

SALEM.

Sir,

I am directed by the Board of Revenue to transmit for your information and guidance the accompanying Extract from their Proceedings under date the 18th instant on the subject of the settlement of the wet lands of your District and those adjoining thereto in the Districts of Trichinopoly, Tanjore and Coimbatore.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE,

21st June 1821.

Despatched 27th do.

Secretary.

Revenue Department.

Index No. 155.

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To

THE COLLECTOR IN THE ZILLAH OF

SALEM.

Sir,

PARA 1. I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 11th September last and to furnish copies of papers therein referred to with the exception of statements A to E which accompanied Major Macleod's letter, dated 11th November 1800 and Appendix E abstract statement the whole of which were forwarded to the Commissioner of Salem under 17th March 1820.

To Government 27th August 1802 with endorsement No. 1-B.
 From Mr Cockburn 29th March 1802 with endorsement A.
 From Do. 25th June with endorsement 2-A and B.
 From Do. 10th June with endorsement No. 3-A and B.

Extract of a letter to Government 9th January 1806 para 19 and 20.
 Do. from do. 22nd February para 3.

2. I am further directed to state that the papers above adverted to as well as others transmitted to the Commissioner with my letter under 17th March 1820 were originals, and it will therefore be necessary to return them.

I am,

Sir,

Your most obedient servant

FORT ST. GEORGE,

5th November 1821.

Despatched 16th do.

Secretary.

Index No. 156.

Revenue Department.

No. 147.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. I am directed by th Board of Revenue to acknowledge the receipt of your letter of the 7th instant requesting information on certain points relative to the Cowles for lands granted in shorttriam or Jaghir.

2. The second section is, as you correctly suppose, to contain the full Beriz of the estate, which will be payable after it ceases to be held on the favorable tenure.

3. A reference to the circular instructions which accompanied the form of Cowle and to the Cowle itself will enable you to remove the doubts of the Jaghirdars as to the intention of the 6th section, which refers to the lands in the *Jaghir* (if there are any), which are held exempt from revenue, and of which "a schedule is to be annexed to the Cowle No. 1."

4. On referring to the last Para of Mr. Secretary Hill's letter of the 15th of May sent for your guidance, you will perceive that the Cowles *now* to be issued are "to contain all the proposed amendments for which the Honorable Courts' sanction is *not* necessary" The last clause of the Cowle is of course to be left out at present.

I am

Sir,

Your most obedient servant,

Secretary.

FORT ST. GEORGE,
15th November 1821.
Despatched 17th do.

Index No. 157.

Revenue Department.

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To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

I am directed by the Board of Revenue to acknowledge the receipt of your letter under date the 23rd instant and to state that altho' the information which you have afforded is not sufficient to enable the Board satisfactorily to pass an order on the reference you have made they will, in consideration of the smallness of the sum solicited, sanction the disbursement of Rupees 87-8-0 for the ceremony of Upanayanam for Kistnah the brother of the minor zemindar of Panparapatty—you should have reported the present state of the pecuniary affairs of the minor, and what surplus, if any, is now in your hands; or whether any balance is due to the Government from the Estate.

I am,

Sir,

Your most obedient servant,

Secretary.

FORT ST. GEORGE,
29th April 1822.
Despatched 7th May 1822.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA. 1. I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 15th instant, in which you acknowledge the receipt of the Board's instructions under date the 16th March 1820 and 31st December 1821 and state in reply that the Enam in question was given to the Petitioner by the Poligar of Bagalore, in the year 1805, and that the same was resumed by the Poligar in 1813, and that he declines to restore it to the Petitioner.

2. The Petition of Kyjah Syed Samalooddeen Shaw Kussance and Chistee Cawdry was first referred to you in a letter from the Board dated 16th March 1820 no answer having been received to that reference your attention was again called to the subject under date the 25th September following.

3. On the 12th of October of the same year you reported as follows
"It appears the complainant held the land in question as a Mannum of the Bagalore Poligar. On the Poliam being sequestered by order of the Board in Fusly 1228, the temporary grants of the Poligar were also resumed according to Regulation 31 of 1802 the Complainant's Grant was of this description and there seems to be no reason why an exception to the general rule should be made in his favour".

"The moment the report on the state of the district is sent off for fusly 1229 I will have the honor of submitting a detailed statement of all the affairs of the three Poliams, till which, is received, I beg permission to suggest, that it may be expedient not to pass any order on the above petition and your Board will then be able to decide at once on the whole".

4. In consequence of this communication the Board deferred giving an answer to the Petitioner until the receipt of the promised information—not receiving however any further report from you they again called upon you for the required information under date the 15th October last to this last call, the letter now acknowledged is the only reply.

5. The Board have put together the foregoing extracts, in order to bring to your view the very unsatisfactory nature of your replies, and they desire me to point out to you the very great inconvenience as well to the Board as more particularly to the petitioners themselves, when persons applying for what they consider themselves however erroneously, to be warranted in soliciting are made to attend for a great length of time on the authorities at the Presidency.

6. Referring particularly to the letters noted in the margin the Board are aware that an important report is expected from you which they readily admit could not be satisfactorily prepared until you had time to ascertain the actual state and resources of the resumed Poligaries and to obtain other information of consequence. The reasons however which caused the delay and the state of the question as it now stands should have been adverted to by you—it should not have been rendered necessary for the Board to trace it in a correspondence of 3 years.

7. The Board will direct the Petitioner to attend on you in order that you may ascertain whether any particular circumstances entitle him to indulgence in regard to the Mannum granted to him by the late Poligar of Bagalore now resumed.

I am

Sir,

Your most obedient servant,

FORT ST. GEORGE,

31st January 1822.

Despatched 15th February 1822.

Secretary.

Index No. 159.

Revenue Department.

88

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

I am directed by the Board of Revenue to transmit for your information and guidance copies of the undermentioned Letters.

To the Chief Secretary to Government 26th September 1822.

From the Secretary to Government 8th October 1822.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE,

14th October 1822.

Despatched 19th do.

Secretary.

Revenue Department.

461

To

THE CHIEF SECRETARY TO
GOVERNMENT.

Sir,

PARA.1. With reference to Government's letter of 4th June, I am directed by the Board of Revenue to submit report, plan and estimate of a new Collector's-Cutcherry to be built at Salem.—

2. The Honorable the Governor in Council will perceive that the Collector entirely agrees with the Inspector-General in considering it preferable that a new building should be erected on the plan proposed by Major DeHauilland, than that the House tendered by the representatives of Mr. Carpenter should be purchased for that purpose, and in this opinion the Board coincide on the grounds formerly stated.—

3. Should the Governor in Council be pleased to resolve on the new building sanction is solicited for the estimated sum of Rupees 18,567-12-1.—

4. The Inspector General suggests the propriety of a young Engineer Officer being deputed to Superintend the work.—

(Signed)

R. CLARKE,

Secretary.

FORT ST. GEORGE,

26th September 1822.

651

To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

PARA 1. I am directed to acknowledge the receipt of your Secretary's letter of the 26th Ultimo (461), and to state that, in conformity to the joint opinion of the Inspector-General and Collector, the Honorable the Governor in Council sanctions the construction of a new Cutcherry at Salem at the estimated expense of Rupees 18,567-12-1, subject to such deduction

as may arise from the employment of the convicts upon the work.—The Criminal Judge will be desired to place the services of the whole number at the Collector's disposal, as soon as he may require them; and the Collector should be instructed to employ them in burning bricks, collecting other materials, digging the foundations, and doing whatever may contribute to reduce the expense of the building.—

2. The Governor in Council will take into consideration the suggestion for appointing a young officer of Engineers to Superintend the building.

FORT ST. GEORGE,
8th October 1822.

(Signed)

D. HILL,
Secretary to Government.

(True copies.)

Deputy Secretary.

Index No. 160.

Revenue Department.

100.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. I am directed by the Board of Revenue to acknowledge the receipt of your letter of the 5th Instant reporting on the petition of Manika Moodelly, the purchaser of the mootah of Numcal.—

2. This mootah was put up to sale for an arrear of Rupees 5,167-2-1 and was sold to the petitioner Manika Moodelly for Rupees 20,500 and the complaint of the Petitioner is that no receipt has been given to him for the deposit made by him agreeably to the conditions of sale, and that he is not allowed to take possession of his purchase, which he says was a bona fide transaction.—

3. In your letter of the 18th July you state that the sale was a fictitious one, and that it was resorted to by the Mootadar as the only means by which he could release his estate from an improvident contract made by his father, who had sub-rented nearly the whole Mootah considerably below its real value, making the deeds binding on himself and his successors so long as the mootah remained unsold.

4. This statement is denied by the Petitioner, who offers to prove that he is a bona fide purchaser.—

5. Your present letter is accompanied by an unnecessary mass of depositions, which, in taking, translating and copying must have occupied much time.—These depositions being all one side, and it not being apparent whether the petitioner was present when they were taken, or had any opportunity of disproving their truth, or establishing his own case, they are by no means conclusive or satisfactory.

6. But if the case be as you have been informed, it would be a harsh measure to proceed to a forfeiture of the Estate, when there was no intention of defrauding the Government or of doing any injustice whatever.—If the sale was resorted to as the only means by which the proprietor thought that he could obtain the just value of his property, the sale, tho' not strictly legal according to the letter of the Regulation, was not such an one as it was the intention of the legislature to visit with forfeiture.

7. The Board therefore on this view of the case, are not prepared to direct the declaration of forfeiture, it is scarcely necessary to add, that if the statement of the Petitioner, which has not been examined into by you, should prove correct, such a measure would be an act of gross injustice.

8. It appears to the Board that it could not be competent to the former Mootahdar to bind his successors to a lease of the Mootah bonds: and under this impression they think it particularly desirable that you should call all the parties before you, and satisfy yourself and then as to the facts of the case. If they are, as you suppose, it would then be proper that

you should explain to the Mootahdar that the act he has done is contrary to the Regulation and involved his Estate in the risk of forfeiture—but that the Circular will not enforce their right, as there was no intention to commit fraud—that the sale is of no effect, and that the purchase money will be returned, and that the Mootahdar is at liberty to confirm or withdraw the lease made by his predecessor, which cannot be binding on the present proprietor, without his consent. The tenant will probably consent to pay a better rent; if not, the Mootahdar should be allowed to resume his lease.

9. If however the petitioner can make out his own case, you will lose no time in giving him possession.

I am,

Sir,

Your most obedient servant,

Secretary.

FORT ST. GEORGE,
28th October 1822.

Despatched 2nd November 1822.

Index No. 161

Revenue Department.

111

To

THE COLLECTOR IN THE ZILLAH OF

SALEM.

Sir,

PARA 1. I am directed by the Board to transmit to you the accompanying copy of a letter with its enclosure from the Secretary to Government in the Revenue Department, and to desire that you will submit the required information together with a statement in the prescribed form at your earliest convenience.

2. In calling for the information from the different parts of your Collectorate, you will cause your public servants clearly to understand, and to make known to the people that no interference with the schools is intended, tho' every assistance will be given to facilitate their operations and to restore any funds which may appear to have been diverted from their original purpose.

I am,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
25th July 1822.

Deputy Secretary.

Despatched 3rd August 1822.

Revenue Department.

459

To

THE PRESIDENT AND MEMBERS OF THE

BOARD OF REVENUE.

Gentlemen,

PARA 1. I am directed to state that it is considered by the Honorable the Governor in Council to be an object of interest and of importance to obtain as accurate information as may be procurable with regard to the actual state of education throughout the country, and to desire that the several Collectors may be required to furnish such information according to the accompanying form. Besides reporting the number of schools in which reading and writing are taught, the number of scholars in each and the castes to which they belong, the Collectors should state the time which scholars usually continue at school, the monthly or

yearly charge to the scholars, whether any of the schools are endowed by the Public and in such cases the nature and amount of the fund. When there are Colleges or other Institutions for teaching Theology, Law, Astronomy etc., an account of them should be given. These sciences are usually taught privately to a few scholars or disciples by individuals without any fee or reward, but there are also some instances in which the native Governments have granted allowances in money and land for the maintenance of the teachers.

2. Although generally Education is confined to particular castes and is not extended to females yet as there are exceptions, which in certain districts may be numerous the accompanying Form is adopted to include them.

3. It is to be clearly understood by the Collectors that no interference whatever with the Native schools is intended. Every thing of that kind should be carefully avoided and the people should be left to manage their schools in their own way. All that ought to be done is to facilitate the operation of the schools, by restoring any funds that may have been diverted from them and perhaps granting additional funds where it may appear advisable.

FORT ST. GEORGE,
2nd July 1822.

(Signed).

D. HILL,
Secretary to Government.

(True copy.)

Deputy Secretary.

Statement of the Number of Native Schools and Colleges in each Collectorate
and of the Number of Scholars.

Name of Collectorate.	Schools and Colleges.	Number.	Bramin Scholars.			Vyse Scholars.			Sooder Scholars.			All other casts.		
			Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
N. Ar. cot.	Schools. 100 Colleges. None.													
S. Ar. cot.	Schools. ... Colleges. ...													
Enter the other Collecto- rates as above.—														

Name of Collectorate.	Schools and Colleges.	Number.	Grand Total Nos. 4 to 15 inclusive.			Musulman Scholars.			Total Hindoos and Musulmans.			Total population.		
			Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.	Male.	Female.	Total.
—	—	—	16	17	18	19	20	21	22	23	24	25	26	27
N. Ar. cot.	Schools. 100 Colleges. None.													
S. Ar. cot.	Schools. ... Colleges. ...													
Enter the other Collecto- rates as above.—														

Where no previous census has been taken the Estimated population to be inserted.

Revenue Department.

Index No. 162.

No. 112

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

With reference to my letter of the 14th March last, I am directed by the Board of Revenue to transmit to you the accompanying copy of a Decree passed against you by the Judge of your District and to desire that you will state whether the several facts of the case are as stated by the Decree, and why you did not distrain the personal property of the Defaulter Sashummal before proceeding to attach the land itself.

I am

Sir,

Your most obedient servant,

FORT ST. GEORGE,
16th December 1822.

Despatched 22nd do.

Secretary.

Decree passed by William Garrow Monk Esquire acting Judge of the Adawlat of the Zillah of Salem in original suit No. 346 of 1821 of the Register of the Zilla Court.

Plaintiff.

Chinnappa Reddi of Maracottah in Womalore Taluk Vakeel Canledanso Naiz.

Defendant.

M. D. Cockburn Esquire, Collector in the Zillah of Salem Government Vakeel Pudmanabien.

Documents.

No. 12 Patta on warum executed to Chinnappa Reddy, Pogangoo Chinnappa Reddy, and 5 Persons by Sashummal dated 11th Aunee of Bagoodanneah year. No. 13 receipt dated 8th Audee of Vishoo year.

Document.

No. 17 Muchilikah executed to Tooloo-canley Counden by Sashummal dated 4th Aunee of Bagoodanneah year.

In this case the Collector having defended the suit thro' the Governement Vakeel the responsibility of the other Defendants ceased since he thereby acknowledges that the act of authority complained of, was carried into effect by his orders and they were therefore admitted as witnesses for the defence by the Judge Mr. Bird.

Plaintiff's witnesses.

- 1 Sooba Pandaram
- 2 Poochee Reddy and
- 3 Cumba Counden

Defendant's witnesses.

- 1 Soobaraya Moodelly
- 2 Tooloo-canley Counden
- 3 Shaik Baday
- 4 Candoo Chetty
- 5 Mathoo Cawn
- 6 Chinnappen
- 7 Veathan and
- 8 Rauma Chetty

PARA 1. The Plaintiff in this case states that Sashummal of Womalore rented land consisting of 13 $\frac{1}{4}$ Coolies known by the name of Kadoo koymaurom Poonja for 3 Conderoyen chuckirums under a Cowl pattah granted to her by the Circar on the 4th Avaney of Vahoodanneah year, which land she under-rented to Plaintiff on the 11th of the same month and year, having executed Muchilikah authorizing him to enjoy the land by giving her half of its produce, that he (Plaintiff) held possession of the land for the years, Vahoodanneah, Pramaudee, and Vickramah. That he paid the share of the produce of the land to Sashummal for Vahoodanneah, and Pramaudee and gave 6 $\frac{1}{4}$ Cundagums of dry Grain, the equal quantity of the

2. It is desirable however that the amount of the assessment should be determined by a survey and classification of the lands—and that, where these have not yet been made, they should be now commenced upon also that where a survey and classification have been made, but the assessment may be found to require revision, such revision should be proceeded upon.

3. The numerous Papers* which have been already forwarded to you, will have put you in full possession of the sentiments of the Government and of the Board, on every point connected with the survey classification and assessment of the Lands.

*To the Chief Secretary 29th May 1817.

To do. 8th Sep. 1817.

To do. 11th do. 1817.
From Mr. Secretary Hill 16th Dec. 1817.

A printed minute of the Board under date the 5th of January 1818 with the printed paper of Mr. Ellis therein alluded to.

4. It seems therefore to be unnecessary to furnish you with any further detailed instructions, and the Board will briefly notice a few of the points, to which they wish particularly to direct your attention.

5. In measuring the lands, the scale which is considered to be the most convenient, may be used, but it must be such as will admit of the extent of each field being readily convertible into acres, and, for the purpose of preserving uniformity in the different Districts, all the accounts must be ultimately prepared in acres.

6. Care must be taken to class the lands according to the quality and productive powers of the soil, and with reference to the situation of the fields, and their command of water.

7. The inhabitants will generally endeavour to get the lands of a superior class, placed in an inferior one, and the necessary checks to prevent this, must be established.

8. The actual produce must be ascertained as correctly as possible, by referring to the accounts of former years, and by an examination of the present actual state of the lands.

9. In fixing the quantity to be taken as the Government share of the produce, the usual rates of division, or what is termed the *Mamool*, should be observed—it seems proper however, that the Sirkar share should not exceed (except when there may be particular reasons for the deviation) in wet lands 50 per cent and in dry lands, $\frac{1}{3}$ rd of the gross produce.

10. The Government share should be commuted into money, at a fair average of the selling prices of grain, for the last 15 or 20 years, but all years in which the price was, from any particular circumstances, unusually high, must be excluded. In fixing this average, the fluctuations which have occurred, and the causes of the changes in the price, must be taken into consideration.

11. A reasonable deduction should be made from the rent, on account of the risk and responsibility of undertaking a payment in money.

12. The amount of the rent should be compared with the actual collections of former years.

13. In many cases it may be advisable first to fix, with reference to the collections of former years, what may be considered a fair assessment on all the Lands of the Village, which are usually cultivated and then to subdivide the amount on the different fields, according to their quality. The waste land which may afterwards be brought into cultivation will of course produce an Increase to the sum so fixed.

14. Where a survey classification and assessment have already been made, a new classification should not be attempted, unless where the former one is clearly ascertained to have been originally very erroneous.

15. If the assessment is considered to be too high, or too low, a proper remission, or increase, of a certain percentage should be made, without disturbing the former classification. It is obvious that the productive powers of the Lands must constantly vary according to the labour and expense bestowed on them, and the degree of skill exercised by the Cultivator but the classification must not on this account be changed, it being intended to give to the Ryots the full benefit of all their extra labor, and of the improvements they may make at their own expense. This will give an incitement to industry, but a direct check would be thrown upon all exertion and improvement, if the assessment was liable to be raised according as the productive powers of the land were increased.

16. The ryots must enter into security, severally for their own rent, and collectively for the whole rent of the village, and it must be understood that Government reserves to itself the power of making up, by an Extra assessment on the Village, all Balances arising from individual failures. This extra assessment must not however be resorted to without the previous sanction of the Board, and should not exceed 10 per cent. of the rent of each Ryot.

17. When security has been entered into for the due discharge of the rent, no Control whatever must be exercised by the sirkar servants over the crops of the Ryots. They must

be left at perfect liberty to cut them when they please, and take immediate and entire possession of the whole of the produce.

18. The consent of the Inhabitants should be obtained to the amount of the rent, and where they are adverse to undertaking a payment in money, the advantages which they will derive from that system, should be particularly explained to them such as—

1ST. They will only have to pay for the land they actually cultivate—

2ND. They will always know what they have to pay at the time they commence cultivating and will thereby be enabled to make arrangements for the due discharge of their rent—

3RD. They will derive the full benefit of their labor and if they improve their Lands, by expending their stock upon them, no additional demand will be made from them—

4TH. Under the system of making a division of the crop, between the Sirkar and the Ryots, the more the gross produce is, the more goes to the Sirkar but in a money rent all the extra produce will go to them, and if they improve the productive powers of their lands, what was formerly 50 per cent. of the gross produce, will become one third, or one fourth of it; but had the system of dividing the crop been continued, they would have always had to pay one half—

5TH. They will on their crops being reaped, have entire and immediate possession of the whole of the produce, instead of part of it being kept, as formerly, under the control of the sirkar servants, as security for the rent—

6TH. They will be secured in the possession of their Lands so long as they pay the sirkar rent and may extend or contract their cultivation, as they think proper—

7TH. It being intended to make the assessment moderate the profits of fair and favorable years will make up for the losses of bad ones, but in cases of particular distress, the Government will always be disposed to shew every proper indulgence—

19. It is not the wish of the Board that the survey should be commenced at once in all the Talooks of your District. It will be best to proceed gradually by one Talook at a time, and as the servants become more expert, and greater facilities are afforded you may afterwards be able to go on more rapidly but it is of the utmost consequence, that the work should be well done, and that every means should be used to impress upon the Inhabitants that the measure is to lead to their security and advantage.

20. You will make a reference on all points of doubt to the Board and send occasional reports of the progress made by you.

21. Should you find any difficulty in procuring servants properly qualified for carrying on the details of the survey, the Board would suggest your making application to the Collectors in the Ceded Districts, who will probably have the means of affording you assistance in this respect.

22. You will transmit for sanction, a list of the Establishment you require for carrying on the survey.

I am

Sir,

Your most Obedient Servant.

FORT ST. GEORGE,

18th April 1822.

Despatched 16th July 1822.

Secretary.

Revenue Department.

No. 369

To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

PARA 1. I am directed to acknowledge the receipt of your Secretary's letter of the 18th ultimo (199), giving a summary view of the state of the survey in the several districts under this presidency.

2. It appears from this summary that only a few of the Districts have been regularly surveyed, that in some nothing has been done. That in others surveys of detached parts

have been made and that different standards of measurement have been adopted in different Districts and sometimes even in the same district.

3. The main objects of a survey are to record the exact quantity and description of all the land in every village, to ascertain the tenures and rights of the occupants or owners as well as the rights of the Government, to fix limits, and by removing doubts to obviate disputes respecting them, to establish mutual confidence between the ryots and the Government by shewing each what belongs to it, to ascertain the grounds of the assessment not for the purpose of increasing the amount but rather for that of enabling Government to avoid over taxation and in short to make what is now vague and fluctuating definite and permanent.

4. But such a survey as will answer these ends cannot be made by every Collector. It requires a practical knowledge of details which is never acquired in districts permanently settled, and not often in those under long Leases. It will therefore be advisable to proceed cautiously to undertake the survey at present only in the few districts in which Collectors may be found capable of conducting it and to extend it to others hereafter whenever it may appear practicable. To attempt to introduce it everywhere immediately would only be an useless waste of money and labour.

5. A survey has been begun in Chingleput and one is now making of the lands not included in former surveys of the Northern and Southern Divisions of Arcot. A revision of the assessment is making in North Arcot and is likewise required in Salem. The completion of the operations in these Districts will probably be nearly as much as can be undertaken at present but if you can conveniently extend the survey to any other Districts it may be done.

6. Your observations on the expediency of using the acre as the general standard in all accounts of measurement transmitted to the Presidency are perfectly just. Without some general standard no correct idea can be formed of the assessment of any District nor can any comparison be made between that of different Districts. The advantages of such a standard are so many and the objections to it so few and trifling that we ought to adopt the acre as the scale of measure not only in the English accounts but in all the native village accounts. The measures employed in different Districts and even in different Villages in the same District often differ as much from each other as from the acre. As no one scale will answer for all Districts and still less for all villages it makes no difference to the people whether the one adopted be the acre or any other. They soon discover in what proportion it is greater or less than their own. In a very few weeks the inhabitants of the ceded Districts became acquainted with the acre and introduced it into their language. The Beejah in the same manner is still in use over extensive provinces where it was originally unknown.

7. The sentiments expressed by you regarding the impossibility of regulating the assessment by the varying fertility of the land are what ought to be particularly attended to by the Local officers. The rent which the assessment is intended to fix is that of Government not that of the Royet and his tenant. The Government rent should be that which is produced by the ordinary degree of cultivation in ordinary seasons what the Royet may easily pay without any labour or expense beyond what is usually employed whatever increase of produce may be derived from extra labour or expense should be his own. The assessment ought not to rise with it.

8. In fixing the assessment of the lands of any village the safest guide is the actual produce and collections during a long course of former years. Even when these have been ascertained it is sometimes necessary to make some allowance for the kind of Royet by whom particular lands may have been held because in villages where each royet holds for himself unconnected with the rest the principal Royets often contrive to hold their lands at a lower rate than the inferior Royets.

9. The want of a regular survey does not in any way hinder the introduction of a Royetwar settlement when there are no other circumstances to prevent it.—Because the village accounts always exhibit the detail of the lands their distribution among the Royets their rent and the extent of the several fields or shares either founded on estimate or on some ancient measurement and from such accounts it has long been the custom in most parts of India to make the Royetwar settlement.

10. The circular letter proposed by you seems to be calculated to answer the purposes for which it is intended.

FORT ST. GEORGE,
14th May 1822.

(Signed)

D. HILL,
Secretary to Government.

(A True Copy.)

For Deputy Secretary.

Index No. 164.

Revenue Department.

2.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

With reference to my letter of the 21st of October, I am directed by the Board of Revenue to transmit for your information and guidance copy of the undermentioned Letter.
From the Secretary to Government 13th December 1822.

I am,

Sir,

Your most obedient Servant,

FORT ST. GEORGE,
19th December 1822.

Despatched 24th December 1822.

Secretary.

Index No. 165.

Revenue Department.

75

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

With reference to your letter of the 9th of May and 1st June, I am directed by the Board of Revenue to transmit for your information and guidance copies of the undermentioned Letters.

To the Chief Secretary to Government 7th July 1823.

From the Secretary to Government 18th July 1823.

I am,

Sir,

Your most obedient Servant,

FORT ST. GEORGE,
24th July 1823.
Despatched 25th July 1823.

Secretary.

Revenue Department.

Index No. 166.

No. 110.

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. I am directed by the Board of Revenue to acknowledge the receipt of your letter of 15th ultimo, and with reference to section VII Regulation XXVI of 1802 to desire that you will submit the detailed account on which you have formed the sub-division of the

Noolahully Mootah with such explanations as may be necessary to shew the sources of your information as to the resources of the sub-division.

2. I am also directed to acknowledge the receipt of your letter of the 18th ultimo, and to request that you will furnish similar information relative to the sub-division of the Minnampullu Mootah.

I have the honor to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
4th December 1823.
Despatched 11th do.

Secretary.

Revenue Department.

Index No. 167.

12

To
THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

I am directed by the Board of Revenue to acknowledge the receipt of your letter under date the 27th ultimo, and to desire that the whole sum collected from Porumboke lands in fusly 1230 amounting to Rupees 13,436-10-10 may be repaid to the Mootadars.

I have the honor to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
16th February 1824.
Despatched 21st do.

Secretary.

Revenue Department.

Index No. 168

23

To
THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. I am directed by the Board Revenue to acknowledge the receipt of your letter of the 9th January last, and to inform you that they confirm the sub-division of Noolahully and Minnampullu Mootahs submitted in your letters of 15th and 18th November last.

2. The detailed Maharatta accounts received with your letter of the 9th January last now acknowledged are found to be correct.

I have the honor to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
8th March 1824.
Despatched 12th do.

Secretary.

Index No. 169.

Revenue Department.

30

To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1st. I am directed by the Board of Revenue to transmit to you the accompanying copy of a letter from the Collector of Trichinopoly, and to desire that you will state, whether any inconvenience appears to you likely to attend the measures proposed by Mr. Saunders.

2. The Board however are not fully aware of the necessity of the transfer as a Collector's residence in a part of the District, so circumstanced, would of course be very short as well with reference to the duties he would have to perform there, as to the difficulties, which the nature of the Country would present to the free access of the inhabitants, so essential to the prosperity of the district. In the event of illness, requiring a change of air, the permission of Government to be absent from public duty, would at all events be necessary.

3. These remarks, equally applicable to your district as to that of Trichinopoly, were suggested by the perusal of the 5th paragraph of the letter now forwarded.

I have the honor to be,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
26th January 1824.

Despatched 10th February 1824.

Secretary.

Revenue Department.

To

THE SECRETARY TO THE BOARD OF REVENUE

Fort St. George.

Sir,

PARA 1. I beg leave to submit for the consideration of the Honorable the Governor in Council, through the Board of Revenue, that in the neighbourhood of this District and not five miles distant from the Boundaries of it, a place has lately been discovered on what is called the Collymally, or Shandamungalam Hills, situated in the Salem District, the climate of which bears a strong resemblance to that of the Nilghiry and Shairawa Hills, and has proved equally beneficial to the Health of those who have resorted to them for the recovery of it.

2. The Board must be of course aware that the European Population of this place exceeds that of any other, perhaps under the Madras Government, with the exception of the Presidency.—

3. The officers of the Staff, Military and Medical Establishments and the Civil servants must amount at least in number to 120.—Several Families and officers have already visited the abovementioned Hills, and no doubt more would be glad to resort to them whose health renders a change of some kind necessary, in preference to going to a greater distance and being longer absent from their station could the requisite assistance be afforded them in obtaining a spot of ground constructing Buildings procuring coolies Provisions etc. But as long as the Collector of the District in which the Hills are situated resides at such a distance that no aid can be afforded by him, and it is necessary (which is in fact the case) to carry up every thing even timber from the villages below, and from as great a distance as

Trichinopoly itself, the inhabitants of this place, are exposed to a much greater expense and deprived of half the advantages, that they would possess, if a few Villages at the top of the Hills and one called Powetrom below, from which the ascent commences, formed part of this District.—

4. Under these circumstances and not aware that there can be any serious objection to it, I beg leave to suggest the expediency of allowing that part of the Range of Hills on which Bauglows are already erecting, and the Village which I have mentioned below, to be united with this District, when all necessary aid might be afforded to invalids resorting to them for their Health, and who might otherwise be exposed to the necessity of undertaking a much longer journey though unequal to bear it.—

5. The proposed arrangement also would be the source of no inconvenience to the Inhabitants of Salem who have the Shairwa Hills to resort to.—The Inhabitants of Coimbatore have also the advantages of a cold climate in that District, to resort to and why may it not be granted to so much more numerous a Society as that of Trichinopoly.—I request permission besides to add that there are no other Hills so conveniently situated but what are subject to Fever, and that on the Collymally, people have already gone to a considerable expense in commencing on the erection of Buildings.—

(Signed.)

TRICHINOPOLY,
21st June 1824.

G. W. SAUNDERS,
Collector.

(True copy.)

Deputy Secretary.

Revenue Department.

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To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

I am directed by the Board of Revenue, to acknowledge the receipt of your letter under date the 16th ultimo, returning certain papers, which were transmitted to Mr. Sullivan, on the 17th and 30th March, and 22nd April 1820, with the exception of a report from Mr. Cockburn, dated 6th January 1803 with its enclosures A to D, relative to the formation of Baranzhl into Estates, and to request, that you will return that paper, with as little delay as possible.

I have the honor to be,
Sir,
Your most obedient servant,

Fort St. George,
22th March 1824.
Despatched 8th April.

Secretary.

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To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

I am directed by the Board of Revenue to transmit to you the accompanying copy of a letter from the Chief Secretary to Government together with the original petition of Chinnoy Gounden, Mannada Gounden, Chennaroya Gounden etc., inhabitants belonging to left hand caste in the pettah of Salem and to desire that you will submit a full explanation on the subject of the petition to which it has reference.

I have the honor to be

Sir,

Your most obedient seryant,

FORT ST. GEORGE,

18th March 1824.

Despatched 30th do.

Secretary.

Revenue Department.

No. 183.

To

THE PRESIDENT AND MEMBERS OF THE
BOARD OF REVENUE.

Gentlemen,

I am directed by the Honourable the Governor in Council to transmit to you the enclosed petition and to desire that you will cause the Collector in Salem to submit a full explanation of his proceedings in regard to the feast and the alleged compulsory employment of workmen and merchants on the Shevaroy's Hills.

FORT ST. GEORGE,

12th March 1824.

(Signed.)

E. WOOD,

Chief Secretary.

(A true copy.)

J. C. MORRIS,

Deputy Secretary.

The Governor in Council of Fort St. George, (acting for and on behalf of the Honorable the United Company of Merchants of England, trading to the East Indies), in consideration of the services of A. B., has been pleased to grant, and does hereby grant to the said A. B., and after his demise, to his two next heirs in succession, (subject to the approbation and confirmation of the Honorable the Court of Directors of the said United Company), all rents or revenues, payable to the Government either in money or in kind; for and on account of the lands specified in the schedule A, hereunto annexed, situate in the village of C. D. in the of E. F. to be held and possessed by the said A. B. and his two next heirs in succession upon the conditions and with the reservations hereunder specified, that is to say.....

1st. That the said A. B. during his life, and after his demise his two next heirs in succession, during their lives respectively, shall pay to such public officer as may be authorized by Government to receive the same, the annual sum of Madras Rupees.... in such Kists and at such times and periods as may be determined by the Collector, according to the general Kistbundy of the District and that the said annual sum shall be paid regularly in all seasons; and that the said A. B. his heirs, and successors, shall not be entitled to claim any abatement or remission thereof on account of drought, inundations or any calamity of the season whatsoever.

Secondly. That, after the demise of the said A. B. and of his two next heirs in succession, the right of collecting the revenues and dues of the Circar, shall revert to the head of the village or other public Officer, appointed by the Government to make such collections, and all the rights and privileges granted by this cowle to the said A. B. and his two next heirs as the receivers of the Circar revenue shall cease.

Thirdly. That the said A. B. and his two next heirs in succession, shall be at liberty to purchase, or otherwise acquire by lawful means, landed property and the rights of the soil in any part of the cultivated lands of the said village, and also to bring into cultivation, at his and their own cost, any part of the waste lands appertaining to the said villages.

Provided always, that all hereditary rights of Mirassi or of occupancy, be preserved to the Merassidars or other resident ryots, according to the laws and usage of the said village and that the consent of the Merassidars or other resident ryots, having such hereditary rights, in the lands of the said village, to part with and transfer their rights or any portion of them, whether in the waraput lands, or in the waste lands, (where the said Inhabitants have rights in the said waste, either of property or of prior cultivation), be duly registered in the accounts of the said village, and in the Cutcherry of the Collector, before the said A. B. or his heirs can be recognized and treated with by the Officers of Government as the proprietor of such acquired lands.

Fourthly. That, subject to the reservations and provisions of the foregoing clause, the next heir of the person who shall be last invested with the rights of collecting and receiving the Government revenues and dues under this Cowle, shall be acknowledged and considered to be the actual proprietor of all such lands as the said A. B. or either of his two next heirs shall have lawfully acquired in the said village, and shall be entitled to dispose of the same, in like manner as all other merassidars, or other resident ryots of the said village may be entitled to do by the laws and usage of the said village.

Fifthly. That the assessment on all lands, of which the said A. B. or his two next heirs may have acquired possession, under the foregoing provisions, shall continue the same as before; and, in the case of lands brought into cultivation by the said A. B. or his two next heirs, on which no assessment had been fixed previously to their being cultivated, that the same rate of assessment shall be fixed and continued thereon, as it has been customary to fix on the like uncultivated lands in the neighbourhood.

Sixthly. That the said A. B. and his two next heirs and successors shall not alienate by gift or sale, or otherwise transfer to or in favor of Pagodas, Bramins or Mosques, or for any purpose whatever, the whole or any portion of the rights and privileges granted by this deed. Provided, however, that the said A. B. and his two next heirs in succession, each for his respective life, shall be competent to assign the rents and revenues derivable from the said village or any portion thereof, for the discharge of debts and obligations contracted by him or them respectively, (due provision being made for the payment of the stipulated kists) and provided also, that it shall be competent to Courts of Justice, to order and decree the transfer of the said rents and revenues, hereby granted to the said A. B. and his two next heirs in succession, in satisfaction of debts and obligations contracted by the said A. B. or either of such heirs and successors respectively, due provision being in like manner made for the payment of the stipulated kists; but all such assignments and transfers shall cease to have effect on the demise of the party for the discharge of whose debts and obligations they may respectively be made, and the interests conveyed by this grant shall descend free and unincumbered to the next heir in succession until, by the terms of this cowle, the said interests shall revert to the Government on the decease of the heir second in succession, to the said A. B.

Seventhly. Nothing contained in this deed shall be construed to convey to the said A. B. his heirs and successors, any right or title to the Revenue derived or derivable from the Monopoly and sale of salt; from sair or custom duties of any description, whether by sea or land; from Abkary, or the tax on the sale of spirituous or fermented liquors and intoxicating drugs; from the excise on commodities or articles of consumption; from taxes personal and professional, or from taxes on markets, fairs and bazaars: nor shall the said A. B. his heirs and successors, have authority to levy or receive any tax or contribution whatever, save and except the Government share of the land revenue, payable on account of the lands herein before specified, and such quit rents as are herein after mentioned.

Ethly. Neither shall any thing contained in this deed be construed to authorize and entitle the said A. B. his heirs and successors to levy rents or revenues from lands within the village of C. D. which are at present exempted from the payment thereof, a statement of

which lands is contained in the annexed schedule No. 1, nor to receive the quit rents payable on and on account of lands favorably assessed, save and except such quit rents, as shall have been included in the assets, whereon the annual rent of the said village of C. D. has been fixed, a statement of which quit rents is contained in the annexed schedule No. 2. But the quit rents specified in the schedule No. 2 shall be payable to and receivable by the said A. B. and his two next heirs and successors without being liable to be changed.

9thly. Neither shall any thing contained in this deed, be construed to authorize and empower the said A. B., or his two next heirs and successors, to infringe the just rights and privileges of the Ryots, nor to interfere with the free and unmolested disposal of their labour, and of the produce thereof, nor to infringe the just rights and privileges of the village servants enjoyed by them according to established and approved custom, nor to interfere with or disturb any persons holding Mauniums or Enams of any description in the said village, all such rights, privileges and enjoyments being reserved in full to the persons aforesaid. But, on the demise of a person holding a Maunium or Enam in the said village, by which demise such Maunium or Enam according to the tenure by which it was held, shall revert and become lapsed to the Government; the said A. B. his heirs and successors shall report such lapse to the Collector of the District.

10thly. It is further more declared, that, in default of heirs of the said A. B. the rights and privileges conveyed by this grant, shall revert and become lapsed to the Government; and that, on the failure of the said A. B. his heirs and successors or any of them to discharge the stipulated Kists as aforesaid, or to perform the duties of allegiance as true and faithful subjects of the British Government, the rights and privileges conveyed by this grant shall be forfeited.

11thly. And whereas, the Hon'ble the Court of Directors of the said united company, have reserved to themselves the right to give or withhold their sanction to grants of rents and revenues by the Governor in Council of Fort St. George, in reward of public services, and whereas the present grant is made to the said A. B. and his two next heirs and successors, subject to the confirmation of the said Hon'ble the Court of Directors, and whereas it is necessary for the security of the said A. B. and his two next heirs and successors, that some term should be fixed for the exercise of the right reserved by the Honorable the Court of Directors as aforesaid; it is hereby declared that this grant shall be held and considered valid for the term of three years from the date hereof, but, if the Hon'ble the Court of Directors aforesaid, shall see fit to disapprove and annul this grant, and such disapproval shall be notified by the Government of Fort St. George, or their authorized public officers, to the said A. B. or the holder of the grant for the time being before the expiration of the said term of three years; then the said A. B. or the holder of the grant, for the time being shall relinquish and give up the said village of C. D. to the Government on the expiration of the term aforesaid, he the said A. B. or the holder of the grant for the time being, receiving and being entitled to all the benefits of this grant, accruing up to the expiration of the aforesaid term of three years from the date hereof, and this grant shall then become void and of no effect. But, if the said Hon'ble the Court of Directors, shall sanction and confirm this grant, or if their disapproval thereof shall not be notified as aforesaid to the said A. B. or the holder of the grant for the time being within the said term of three years from the date hereof, then this deed shall be and remain in full force and virtue.

In witness whereof we have hereunto set our hands and seals at Fort St. George this day of _____ in the year of our Lord,

(Signed)

D. HILL,
Secretary to Government.

(True copy.)

J. C. MORRIS,
Deputy Secretary.

Revenue Department.

Index No. 172.

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To

THE COLLECTOR IN THE ZILLAH OF

SALEM.

Sir,

With reference to my letter of the 30th July 1821, I am directed by the Board of Revenue to transmit to you copy of a draft of a cowle for Jagheres granted by Government in

reward of public service. This draft has been finally approved and sanctioned by the Hon'ble the Governor in Council. You are therefore requested to prepare the cowles, in conformity thereto, in favor of the respective individuals on whom Jagheres have been conferred for public services and who have not yet obtained cowles for them.

Enclosure in a letter from Government 21st May 1824.

Fort St. George,
10th June 1824.
Despatched do.

I have the honor to be,
Sir,
Your most obedient servant.

J. C. MORRIS,
Deputy Secretary.

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Revenue Department.

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To

THE COLLECTOR IN THE ZILLAH OF
SALEM.

Sir,

PARA 1. I am directed by the Board of Revenue to transmit to you the accompanying copy of a letter from the Chief Secretary to Government under date the 9th ultimo giving cover to copies of the Decrees passed by the Judge of Salem in the suits noted in the margin.

From Government 3rd August 1824
with Encl. Nos. 1 and 2.
Plaintiffs Palama Reddi and Ramasamy Aiyar.

2. These cases, you will observe, are of the same nature as that forwarded to you with my Predecessor's letter of the 7th June last, involving two distinct points—first the return of collections made on Poramboke lands—second, the right of mootahdars to make collections under the head of soornadayam.

From Government 5th March.
Plaintiff Venkatarama Reddy.

3. You will carry into immediate effect the orders of Government as far as they relate to the return of collections made on Poramboke lands, and explain to the Board the reason of this not having been long since done in obedience to their repeated instructions to this effect.

4. In discussing the second point two things are to be considered Viz., what the particular items were composing this source of Revenue, and whether such items were in fact included in the permanent Beriz of the mootahs in question or not.

5. It is of the utmost importance that the doubts which have arisen upon this question should be cleared up, and with a view to this the Board desire that you will prepare and transmit with the least possible delay an account exhibiting the assets of every description upon which the permanent Jumma of these mootahs was calculated, together with a statement for the last two inslies, shewing the total amount collected under the head of mooturpa and soornadayam, the different items composing those sources of revenue, and the amount collected under each individual item. You will likewise explain whether you consider mooturpa and soornadayam to be synonymous terms—and if not, what particular items, you understand to belong to each.

6. With a view also to the clearer understanding of a subject upon which there has been such difference of opinion, the Board further direct that you will as soon after the receipt of this communication as practicable forward to their office by coolies under charge of careful peons, the original native accounts shewing in detail the total assets of the mootahs above referred to from which the permanent Jumma was fixed. By detail the Board would be understood to mean not only the abstracts prepared for the inspection of the Collector at the time, but the minutest details of every item included in the assets which formed the basis of the settlement. Should the accounts for the Estates mentioned not be forthcoming those of any other may be sent instead.

7. From the information which you have been called upon to furnish and a careful examination of these native accounts, the Board hope to be able to set at rest a question involving alike the interests of a great number of individuals and the credit of the Government.

Encl - 22

8. You will be pleased to give your immediate and particular attention to the points herein referred to.

I have the honor to be,

Sir,

Your most Obedient servant,

FORT ST. GEORGE,

13th September 1824.

Despatched 15th do.

Secretary.

Revenue Department.

No. 525.

To

THE PRESIDENT AND MEMBERS OF THE

BOARD OF REVENUE.

Gentlemen.

I am directed by the Honorable the Governor in Council to transmit to you the accompanying copies of two decrees, passed by the Judge of the Zillah of Salem, in cases wherein the Collector of Salem was defendant. The cases are of the same nature as that referred to you under date the 5th of March last, upon which you have not yet reported. If the Collector of Salem has omitted to furnish you with the necessary information, you will require him to do so without further delay. You will also call for the same information in the cases now referred to you. It is disrespectful to Government that the Collector should have failed to give effect to their orders regarding the peramboke lands; and discreditable to Government that he should endeavour to obtain decrees in his favor contrary to the justice of the case, as where he resumes the collections of items of soornadayem included in the assets of Mootahdars' estates, and justifies the resumption on the ground of its being incompetent to them to collect tax of that nature without his concurrence. You will be pleased to take measures for having justice done to all individuals who have suffered from the Collector's improper conduct with respect to peramboke lands and Moturpha, without forcing them to commence suits against him, and also to those individuals to whom the Court has professed its inability to do justice under the provision of the Regulations regarding the collection of Moturpha.

FORT ST. GEORGE,

3rd August 1824.

(Signed.)

(True copy.)

D. HILL,

Chief Secretary.

Secretary.

Revenue Department.

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To

THE COLLECTOR IN THE ZILLAH OF

SALEM.

Sir,

With reference to my Predecessors letter of 16th February last in which a sum of Rupees 13,436-10-10 was, in conformity to a statement furnished by you, authorized to be refunded to the Mootahdars as the amount collected from their Peramboke lands, I am directed by the Board of Revenue to remark that a sum of Rupees 15,839-14-0 has been charged on that account in No. 13 of your statement of actual charges incurred without estimates for fusly 1233. The Board desire your explanation regarding the difference between these two sums.

17th September 1824.

I have the honor to be,

Sir,

Your most obedient servant,

FORT ST. GEORGE,

7th October 1824.

Despatched 7th do.

Secretary.