M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 955	Press Mis.
47-48	
Dated 2-5-	1862.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 2nd May 1862.

No. 47. Read the following Proceedings of the Board of Revenue, dated 8th April 1862, No. 2,319:—

Read the following letter from R. E. MASTER, Esq., Officiating Director of Revenue Settlement, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated 24th March 1862, No. 367/30.

SIR,

As requested in the Board's Proceedings of the 21st instant, No. 1,895, I have the honor to submit for their consideration a sketch of a Draft Act to amend Act XXVIII of 1860.

An Act to amend Act XXVIII of 1860.

Preamble. Whereas it is expedient to amend Act XXVIII of 1860 (for the establishment and maintenance of boundry marks, and for facilitating the settlement of boundary disputes in the Presidency of Fort Saint George); it is enacted as follows:—

Repeal of Sections 3 and 5 of Act XXVIII of 1860, and substitution of the following.

I. Sections 3 and 5 of Act XXVIII of 1860 are hereby repealed, and the following new Sections shall be read as Sections 3 and 5 of the said Act.

"Collector to call upon owners or occupants to register and produce title deeds."

"III. It shall further be lawful for such Officer aforesaid, to call upon the owners or occupants of lands, and also on all persons claiming to have any right or interests in such lands, to register the rights and titles exercised or claimed by them in the lands, and to produce before him for inspection and registry all grants, title deeds, and other documents, connected with their claims."

"Service of notices on owners and occupants."

"V. When a survey is in progress, or whenever necessary for the purposes of this Act, notices shall be served on the persons owning or occupying the fields, holdings, estates, or villages concerned, requiring them to clear the boundaries, and to set up, form, or repair, or to render such aid and labor as may be necessary to form, or repair, under the supervision of the Government officers, such boundary marks as may be required, with in a reasonable time; and in the event of such persons not being found in their village, the notices shall be posted in a conspicuous place in the village, which shall be held to be a sufficient service, notwithstanding it may afterwards appear that the owners or occupants were not correctly named or designated in the said notice."

Construction. II. This Act shall be read and construed as part of Act XXVIII of 1860.

(Signed) R. E. MASTER,
Officiating Director of Revenue Settlement.

In Cons. 19th March 1862, No. 1,601. Ordered that the Draft Act forwarded with the above letter be submitted to Government, with reference to their Proceedings, dated 17th March 1862, No. 601, Revenue Department, and with the Board's recommendation that the necessary steps be taken for its enactment by the Legislative Council.

(A true Copy and Extract.)

(Signed) R. A. DALYELL, *Sub-Secretary.*

No. 48. ORDER THEREON, 2nd May 1862, No. 955.

The Draft Act will be submitted to the Council for the purpose of making Laws and Regulations.

(Signed) J. D. SIM,
Secretary to Government.

No. 2,319.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 8th April 1862.

Read the following letter from R. E. MASTER, Esq., Officiating Director of Revenue Settlement, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Madras, dated 24th March 1862, No. $\frac{367}{30}$:—

As requested in the Board's Proceedings of the 21st instant, No. 1,895, I have the honor to submit for their consideration a sketch of a Draft Act to amend Act XXVIII of 1860.

An Act to amend Act XXVIII of 1860.

Preamble.

Whereas it is expedient to amend Act XXVIII of 1860 (for the establishment and maintenance of boundary marks, and for facilitating the settlement of boundary disputes in the Presidency of Fort Saint George); it is enacted as follows—

Repeal of Sections 3 and 5 of Act XXVIII of 1860, and substitution of the following.

I. Sections 3 and 5 of Act XXVIII of 1860 are hereby repealed, and the following new Sections shall be read as Sections 3 and 5 of the said Act.

"Collector to call upon owners or occupants to register and produce title deeds."

"III. It shall further be lawful for such Officer aforesaid, to call upon the owners or occupants of lands, and also on all persons claiming to have any right or interests in such lands, to register the rights and titles exercised or claimed by them in the lands, and to produce before him for inspection and registry all grants, title deeds, and other documents, connected with their claims."

"Service of notices on owners and occupants."

"V. When a survey is in progress, or whenever necessary for the purposes of this Act, notices shall be served on the persons owning or occupying the fields, holdings, estates, or villages concerned, requiring them to clear the boundaries, and to set up, form, or repair, or to render such aid and labor as may be necessary to form or repair, under the supervision of the Government Officers, such boundary marks as may be required, within a reasonable time; and in the event of such persons not being found in their village, the notice shall be posted in a conspicuous place in the village, which shall be held to be a sufficient service, notwithstanding it may afterwards appear that the owners or occupants were not correctly named or designated in the said notice."

Construction.

II. This Act shall be read and construed as part of Act XXVIII of 1860.

(Signed) R. E. MASTER,
Officiating Director of Revenue Settlement.

In Cons. 19th March 1862, No. 1,601.

Ordered that the Draft Act forwarded with the above letter be submitted to Government, with reference to their Proceedings, dated 17th March 1862, No. 601, Revenue Department, and with the Board's recommendation that the necessary steps be taken for its enactment by the Legislative Council.

(A true Copy and Extract.)

Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.
Copy to R. E. Master, Esq., Officiating Director of Revenue Settlement.

Exd. J. Wright.

R. 17. March/62 Nº. 300-301.
" 7. 93

Prov. of the Bd. of R
of 13 June/62 Encl.
1699 ux

Nº. 47 & 48.

17 April (Reg.)

Revr 1862. Department.
Prov. of Govt for May.

No. 1097.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 8th *April* 1862.
Despatched. 14 do
Received. 15 do

No. 2,319.

Submitting letter from the Officiating Director of Revenue Settlement forwarding a sketch of a draft Act to amend Act 28 of 1860, with the Board's recommendation that the necessary steps be taken for its enactment by the Legislative Council.

Nº. 955 — 2 — May
With an order

Nº. 955.

The draft Act will be submitted to the Council for the purpose of making Laws & Regulations

From 2d George
2d. May/62

J. D.

14 Copies to the Prov. Rev. Cmpts?

Note. I have shewn on the enclosed copy of the present Act, the alterations now proposed. The Act as it stands is of use only when a Survey is in actual progress. while the powers are required at other times. hence the change.

cause the work to be performed and afterwards
levy the Cost from the defaulters, but this
course is necessarily tedious, and it is moreover
frequently very inconvenient for the Settlement
officer to leave gumastas behind him to
superintend the work. The ryots are well
aware that they cannot be compelled to put up
the marks, and are consequently apathetic.
Under Section IV a fine may be imposed on
parties who fail to attend at the demarcation
when summoned, and there seems no good
reason why a similar penalty should not be
incurred by those who though they attend, refuse
or fail to put up the marks. The Settlement
Officer should in my opinion have the option of
imposing a fine, or of adopting the procedure
laid down in Section VI as it at present
stands, and should further be empowered to
take the latter course in addition to the former
when the imposition of a fine has had no
effect.

2. The subject of the amend-
=ment of Act XXVIII of 1860, is now before
Government, but I believe that the draft Act
has

has not yet been laid before the Legislature
Council, and it is therefore not too late to
introduce the further alteration now contemplated.
For this purpose all that is necessary is the in
=sertion of the words "at his discretion either
"impose on such defaulter a fine not exceeding
"fifty Rupees to be levied in the manner
"described in Section IV or" between the words"
"may" and "give" in the second line of Section
VI, and the addition of the following words
at the end of the Section," Such Officer
aforesaid may also adopt the second of the
above two courses in addition to the first,
should the defaulter after having been
punished by fine under this section still
refuse or fail to erect the marks required
of him."

I have accordingly prepared
and forward herewith a fresh draft Act
embodying the above alteration, and I have
the honor to request that should the Board
approve it may be submitted to Government,
with the view of its being substituted for

the

the draft Act forwarded with my letter of the 24th March last No. 365, and submitted to Government with the Board's Proceedings of the 8th April No. 2319.

Pub. Settlement Office, Madras, 12th June 1862.

I have the honor &c.
W. E. Maxwell
Offg Director of Pub. Settlement.

Ordered to be submitted to Government with confirmation of the Board's Proceedings dated 8th April 1862 No. 2319 and with their recommendation that the Draft Bill now furnished by the Officiating Director of Public Settlement be brought before the Legislative Council in lieu of that formerly prepared.

The Board approve of the additional provision made in the present Draft.

(True Copy & Extract.)

Sd/ C. D. Ellis Esqr
Secretary to Government
Revenue Department.

with Original Enclosures.

Copd. C. Pennycuick

Sd/ Gantzer
Secretary.

The Collectors report & proposed Settlement should be dealt with by the Revenue Board & Mr Newill & myself & I do not think I must close away with — I made Selection of this Taluk as a much less

cost — afford Govt a fair return & average amount of the whole Question of an equitable assessment being laid down in all the Districts of this Presidency —

The survey should also be in some manner conducted under the Collector, that is to say he should be specially connected with it —

In the ensuing Settlement — the Collector has been the main agent — Thus he has lost much valuable aid — not only from him — but from the Village Officers, as such better aid would only be obtained through the influence of the Collr — can disposable time now be used as a test to proceed as we are now doing

C 51

Dec 2 Mem / 62 Mo: Dec = 1862 Mar = 1862 Mar
47-482 47-483 Jy-1899.

Proceedings of the
Board of Pleasure
Dated 13 9/12 June 1862
Read 13 Sept
Rec'd Dec 3 1862
Sent Dec

Letter in case:
= Resolutions of the Board,
Phs: dated 8 July 1862
J. 2319 Ellet from Mo
Ofc 2 Docket of Pres
Letter in Ofc
Recommending that the
Pres of D.C. move fort
= may lead to Removal =
Ofc Depr Letter
Counter in Case of that
formerly Introduced.

Robert Ross Report

An Act to amend Act XXVIII of 1860

Whereas it is expedient to amend Act XXVIII of 1860 for the valuation of property and assessment of taxes in the District of Columbia, and for other purposes:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia are hereby authorized and required to cause a new valuation of all the real property in the said District to be made, and a new assessment of taxes thereon to be levied, in the manner and subject to the conditions hereinafter provided.

I. And be it further enacted, That the Commissioners of the District of Columbia are hereby authorized and required to cause a new valuation of all the real property in the said District to be made, and a new assessment of taxes thereon to be levied, in the manner and subject to the conditions hereinafter provided.

II. And be it further enacted, That the Commissioners of the District of Columbia are hereby authorized and required to cause a new valuation of all the real property in the said District to be made, and a new assessment of taxes thereon to be levied, in the manner and subject to the conditions hereinafter provided.

III. And be it further enacted, That the Commissioners of the District of Columbia are hereby authorized and required to cause a new valuation of all the real property in the said District to be made, and a new assessment of taxes thereon to be levied, in the manner and subject to the conditions hereinafter provided.

IV. And be it further enacted, That the Commissioners of the District of Columbia are hereby authorized and required to cause a new valuation of all the real property in the said District to be made, and a new assessment of taxes thereon to be levied, in the manner and subject to the conditions hereinafter provided.

V. And be it further enacted, That the Commissioners of the District of Columbia are hereby authorized and required to cause a new valuation of all the real property in the said District to be made, and a new assessment of taxes thereon to be levied, in the manner and subject to the conditions hereinafter provided.

June 24

I do not see how we can
refer the question of the survey
as you suggest. It may possibly
be just as a matter that
may actually be of value
to us in the future
disposal of this long head
ing that we can
not be prejudiced —

owning or occupying the fields, holdings, estates, or villages concerned, requiring them to clear the boundaries, and to set up, form, or repair, or to render such aid and labor as may be necessary to form or repair, under the supervision of the Government Officers, such boundary marks as may be required, within a reasonable time; and in the event of such persons not being found in their village, the notice shall be posted in a conspicuous place in the village, which shall be held to be a sufficient service, notwithstanding it may afterwards appear that the owners or occupants were not correctly named or designated in the said notice."

"VI. In default of the owners or occupants of the fields, holdings, estates, or villages complying with such requisition, the said Officer may, at his discretion either impose on such defaulter a fine not exceeding fifty rupees to be levied in the manner described in section IV, or give directions for the erection and repair of the necessary Boundary marks, the cost of which shall be equitably apportioned on the fields, holdings, estates, or villages which they serve to distinguish, and shall be charged to the persons possessing a right of ownership or occupancy in such fields, holdings, estates, or villages in such manner as such Officer aforesaid may consider just and shall be levied in the same manner as arrears of land revenue. Such Officer aforesaid may also adopt the second of the above two courses in addition to the first, should the defaulter after having been punished by fine under this section still refuses or fails to erect the marks required of him."

In default of compliance Officer may inflict a fine on defaulters or order erection or repair of necessary marks at the expense of the owners or occupants or adopt both courses."

VII. This Act shall be read and construed as part of Act XXVIII of 1860.

Construction

Offg Director of Revenue Settlement

6

In July 1862 the Bd
of Rev brought to notice
a defect in Act XXVIII.
of 1860 which (sec II.) pro-
merely provides for owners
and occupants of lands
being required ~~to erect~~
~~the proper upon~~
to maintain boundary
marks, but contains
no provision for com-
pelling them to do so
except when a survey
is in progress. and
therefore they (the Bd)
suggested the addition
~~tion~~ of the words "or
"whenever necessary for
"the purposes of this act"
immediately after the

2 Inclosures from the Bd
Minutes of Revenue Committee
& the Secretary to the Board
of Revenue Madras 12th June 1862

No 3494
32

Rec'd 16th Sept

No 3636 of 1862
Sir Rev 12 June

Read & Recorded
Oct XXVIII of 1860.

words "when a sur-
vey is in progress"
in sec 5 of the said
act. They propose also
another
alteration in section
3 of the act, in which
they observed that the
words "about to be
"surveyed" should be
omitted, as undergo
modifications that
may possibly be made
hereafter in the opera-
tions in hand, the
Registry of Titles and the
Survey may not be
so immediately connect-
ed as is implied in
the section as it now
stands. The alterat-
tions suggested were
approved by Govt,
and the Bd instructed

x G.O. 17 March/62
No 801

to submit a Draft act
to be laid before the
Madras Legislative
Council. It was
accordingly forwarded
by the Bd and approved
by Govt to be submitted
to the said Council

2 W May 1862/955

The Bd now lay before
Govt a letter from the
Superintendent of Revenue
Settlement, wherein he
brings to notice the
great inconvenience
occasioned by the ab-
sence of any powers
authorizing officers
in charge of settlement
parties, to fine owners
and occupants of land who
fail to clear boundary

lines or set up marks
in accordance with
requisitions made under
Sect X of the Boundary Act

absence that the provisions of the existing Law (Sec VI) on the subject are insufficient in as much as it merely prescribes that in default of the owners or occupiers complying with the requisitions made to them, the settlement officer may cause the works to be performed, and afterwards levy the cost from the defaulters. This course is in his opinion very tedious and further necessitates the Settlement officer leaving behind him funds to superintend the work. Compliance with the said requisitions not being compulsory the rights are natural

apathetic. — He failure to attend at the demarkation when summoned may be punished with a fine under Sec IX. The Master thinks that there is no good reason why a similar penalty should not be incurred by those who tho' already possessed or said to have put up the marks. — He therefore proposes that the settlement officer should in such cases" have the option "of imposing a fine "or of adopting the "procedure laid down "in Sec VI as in the "present clause, and "should further be

"empowered to take
"the latter course in
"addition to the forfeit
"when the imposition
"of a fine has been
"effect."

As the draft ack
above referred to
has not yet been laid
before the Council,
the Master requests
that the amended
draft ack now sub-
mitted by him & con-
taining the further
alterations investig-
ested by him be
substituted for the
former. The Bd
of Revenue approve of
the present draft
which will ac-

cordingly be adopt-
ed in substitution
of that approved
on G.O. 17 March 62

I.D.S

Due to Mr Hall

Nothing can be done
till the Legislature
meets –

C 19 June 1828 R 27