

# MADRAS RECORD OFFICE.

Government of Madras.

*Revenue* DEPARTMENT.

|          |          |                          |
|----------|----------|--------------------------|
| G.O. No. | 195      | Press<br><del>Mis.</del> |
| Dated    | 23 - 1 - | 1868.                    |

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,  
23rd January 1868.*

No. 391. Read the following letter from Messrs. PARRY & Co., to the Chief Secretary to Government, Fort St. George, dated Madras, 29th November 1867 :—

We have been requested by Mr. J. Campbell to forward to you his petition, in order that you may lay it before His Excellency the Governor in Council. We have the honor to request that the reply to the petition may be sent to us.

Petition from Mr. J. CAMPBELL, to the Right Honorable FRANCIS BARON NAPIER, Kt.  
Governor of Madras, dated — December 1867.

SAITH,

1. That your petitioner is a Barrister of Lincoln's Inn, and was in A. D. 1833 a member of the Bar at Madras, and whilst there an application was made to the Governor in Council of Madras by Mr. Faure deFondclair on behalf of himself and your petitioner, and Mr. C. A. Kove and Mr. E. S. Moorat, for a lease of certain waste land in the Districts of Cuddapah and Nellore, for the purpose of working some ground supposed to contain copper ore. That the Governor in Council was pleased to authorize a lease to be granted to us of the said land in the terms and on the conditions of the Minute of Government, dated 18th April 1834.

2. That before the said lease was taken up, one of the parties, Mr. C. A. Kove, died, and afterwards Mr. E. S. Moorat also died; that your petitioner left Madras and went to practise at the Bar of Bombay. That from that time nothing further was done by the survivors, and that Mr. Faure deFondclair is since dead, as your petitioner is informed, and believes.

3. That your petitioner is desirous of obtaining a lease of the said lands, and working the said mines. That your petitioner has persons of capital willing to assist your petitioner in the undertaking, upon your petitioner obtaining a lease of the said land. And your petitioner now prays that the Governor in Council may be pleased to grant your petitioner a lease of the said land in terms of the said Minute of Government, dated the 18th April 1834.

And your Petitioner, &c.

Mr. Campbell, formerly of the Bombay Bar, and who used to practise before me, whilst Chief Justice, signed the above in my presence this 4th October 1867.

(Signed) E. PERRY.

No. 392. ORDER THEREON, 23rd January 1868, No. 195.

Miscellaneous.

1. Mr. Campbell will be informed, through his Agents Messrs. Parry & Co. that the Government cannot consent to entertain any application based on terms offered thirty-four years ago in a Resolution which was allowed to become inoperative; nor are they now disposed to concede to any individual, or body of individuals, the exclusive privilege of working the Copper Ores in Government waste throughout an *extended* range.

2. But they will be prepared to consider any definite application to raise and smelt the Ores *in a particular limited locality*, on being satisfied of the competency of the applicants to bring the scheme to a successful issue, so far as sufficient capital will insure success.

3. It must be understood that the Government do not undertake to oust any occupying ryots to make way for mining operations.

Proceedings of the Madras Government, Revenue Department,  
23rd January 1868.

4. Any such removal must be matter for private arrangement between the parties.

(True Extract.)

(Signed) W. HUDLESTON,  
Secretary to Government.

No. 2430

From

Messrs. Parry & Co.

Dated 29<sup>th</sup> November 1867.

FOR ORDERS.

Mr Campbell's application does not rest on any rights which remain with him as a surviving member of the former association. It seems to be a fresh and distinct request for certain privileges, the first of which may be found, deposited out, in the Minutes of the Association in 1833 & which were put into a formal shape in the bye-laws dated 18 April 1834.

Mr Campbell may be a man of wealth; & he may have available for his mining project some real or fanciful mineral substance. He was a long time at Bombay, practising at the Bar there, & has probably contracted Bombay notions of speculation & counting money with nothing to work on, or a basis. I think the Board should be very chary of contracting any engagement of the comprehensive character proposed, with a man who after all may turn out a needy adventurer, coming forward to promote a Company.

I would pass an order on his application of the kind given in the matter of Monsieur de Forest, & saying that Mr Campbell shall personally or by authorized agents, point out the particular tract

I agree & I have been with a request to him - for mining purposes. I suppose of that as suggested by the Resolution. I suppose on the individual merits. - Individually it seems to me that much injustice might arise from vesting in Mr Campbell the power of a mining miner such as he deserves to secure  
I agree N.

To Mr. John Campbell, through Messrs. Parry & Co.,  
the Board of Revenue.

Exd. F. R. Bantleman.

4  
Letter from John Campbell Esq. Barrister-at-law  
(without date or address) forwarded by Messrs.  
Parr & Co with their letter of the 29<sup>th</sup> November 1867.

E.M.C. 25<sup>th</sup> October 1833.

No. 1125.

+ It appears that in 1833 a Mr. Faure  
de Fondclair requested that a lease  
of all the copper-mines in the Nellore  
and Cuddapah Districts might be  
granted him & his heirs for 21  
years, with exemption from all  
duty either of transit or export  
for 10 years, &c; he further requested  
that he might maintain at his own  
cost an armed body of Police, &  
that the Revenue authorities should  
be bound to render him every assis-  
-tance.

1. Records of the Board of Rev.
2. Report of the Company's  
Naturalist, Mr. B. Hayne. 1815.
3. Memoir of Mr. B. Bishop. 1822.

2. The Governor in Council having considered  
the information on record regarding  
the copper mines, recorded his opinion  
of the importance of encouraging the  
efforts of private speculators to  
discover & produce the ores, & render  
them useful: and while expressing  
his ability to grant a lease of all

the copper mines in the District specified  
some of them being situated in lands  
held under permanent settlement,  
expressed his readiness to consider  
favorably any application for the  
lease of particular lands  
the property of Government, supposed  
to contain copper-ore.

The Governor in Council further declared  
his readiness to exempt the ore  
from duty for certain periods, but  
refused to sanction a prohibitory  
duty on copper-ore mined from  
other mines.

3 In January 1834 Mr. De Fondclair  
submitted more definite propositions  
for the grant of a lease, and in  
the following April the Government  
+ authorized the following —

(1) The grant of a lease for 21 years  
to Mr. Fondclair & Co. of all the mines  
of copper-ore, in lands belonging  
to Government in the Taluques of  
Dupand, Cumbam, Siddalor, +  
Badnail in Andrapah, and Otta-  
sherry, Karaly, Buttalor, and

54  
Buddapoor in Nellore, with a  
reference of renewal if approved  
by the Court of Directors, on payment  
of a fine, the amount of which  
was to be determined in a certain  
manner specified.

(2) The produce of the mines worked  
by Fondclair & Co. was entirely exempt  
from any duty or impost whatsoever  
for the period of ten years from the  
date of the lease, the amount of  
duty or impost levied thereafter  
on such produce not to exceed  
10 per cent of the value according  
to the authorized tariff of the District.

(3) All machinery, whether British  
or Foreign imported for the purpose  
of being employed in the mines,  
and all timber & stores imported  
for the same purpose, were also exempt.

It was then provided that "as the sole  
object of Govt. in granting the  
lease was to give encourage-  
ment to active exertions directed  
towards and bringing into use  
the mineral wealth of the country  
the lease should be cancelled

G.M.C. 18<sup>th</sup> April 1834.

No. 352.

date of the lease certain specified  
 months had been obtained, and  
 a certain sum (3 lakhs in  
 3 years) expended. The company  
 was further debarred from  
 entering upon cultivable land  
 without permission from the  
 Collector without full compensation  
 to occupants.

"On failure of any of these conditions"  
 the lease was to be null and void, if  
 the Govt. in C. so determined.

Any leases obtained from Zamindars  
 of the Company, for the right of mining  
 were to be confirmed for a like  
 period, & a like exemption from  
 the produce of such mines.

4. In the following October the following  
 members constituting the Indian  
 Copper Mining Company, under  
 the signature of "Fondclair & Co."  
 & expressed their willingness to  
 execute the counterpart of the  
 lease granted to Dr Fondclair  
 & Co. in S.M.C. dated 18<sup>th</sup>  
 April 1834."

Faure de Fondclair.

Edw. S. Moorat.

† Jas. Ochter Ouchterlong.

+ J. M. Campbell.

Henry M. Rowlandson

† Letter in S.M.C. 31<sup>st</sup> Oct. 1834.

No. 910. Revenue.

† Mr. Ouchterlong's name was withdrawn  
 & a Mr. A.C. Kerr's substituted  
 in March 1835. (S.M.C. No. 235).

+ The present applicant

The Director of the Company was then  
 directed to prepare a lease  
 according to the terms and con-  
 ditions expressed in S.M.C. of the  
 18<sup>th</sup> April 1834."

5. A draft lease was drawn up, and  
 after alteration despatched to  
 the Board of Revenue signed &  
 sealed, & delivered to the Com-  
 pany on receipt of counterpart.  
 The lease and counterpart will  
 be found in S.M.C. 18<sup>th</sup> May 1835  
 No. 478. Revenue.  
 The terms are substantially those speci-  
 fied in April 1834.

6. It appears that on the 18<sup>th</sup> of the same  
 month Mr. de Fondclair submitted  
 a draft lease which he proposed  
 to substitute for that granted to Govt.  
 Refor. (S.M.C. 26<sup>th</sup> May 1835  
 No. 579. Rev.) declined to  
 accept this draft lease (which  
 was in effect the minutes of con-  
 sultation of the 18<sup>th</sup> April 1834  
 with a very few alterations;)  
 observing that the minutes were  
 descriptive generally only of

the intentions & wishes of Govt.  
could not be adopted in the  
preparation of legal document.

7. It does not appear from the papers  
whether the lease drawn up by  
Government was ever accepted;  
no action appears to have been  
taken by the Company.

8. It will be seen that Mr. Campbell  
specially requests that a lease  
may be granted him "on the  
conditions of the Minute of  
Government dated the 18<sup>th</sup>  
April 1834."

FM.

It appears from very  
undoubted that Govt.  
did at this distance of  
time entertain any  
application based upon  
proceedings at Govt.  
place some 34 years  
ago. & then some eleven

Cutland  
Wm

I think so  
Wm

by A

Received the part of the sheet  
it has been cut off - Wm

I remain wholly devoted

my fresh application &  
I think be dealt with on the  
individual merits. In the  
reference I have given  
transactions have been  
multiplied.

I request the order  
of Govt. L. H.

8. January 1868.

No. 195.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 23<sup>d</sup> January 1868.

Read the following letter from Messrs. Barry and Co.

Forwarding petition from Mr. J. Campbell, praying for the lease of the land in the Cuddalore and Mellore districts for the purpose of working copper mines under the terms granted in 1834, and requesting that a reply to the petition may be forwarded to them.

(Were entered 29<sup>th</sup> Nov. 1867, No. 1)

W.D. S. by A.

Mr. Campbell will be informed through his Agents Messrs. Barry and Co. that the Govt. cannot consent to entertain any application based on terms offered 34 years ago in a Resolution which was allowed to become inoperative - nor are they now disposed to concede to any individual or body of

of individuals the ex-  
-clusive privilege of  
working the copper ores  
in Govt waste ~~throughout~~<sup>throughout</sup> ~~the~~ <sup>an</sup>  
entire range -

But they will be  
prepared to consider any  
definite application to ex-  
-pose and ~~surely~~ <sup>surely</sup> the ores  
in a particular limited  
locality - on being satis-  
fied of the competency  
of the applicants to bring  
the scheme to a successful  
issue, so far as suffi-  
-cient capital will in-  
-sure success -

It must be understood  
that the Govt. do not undertake  
to ~~out~~ <sup>out</sup> any occupying  
rights to make way for  
mining operations.

Any such removal  
must be via the Govt.  
private arrangement  
between the parties -  
S. H.

to the all -

1 Copy to Mr John Campbell, through Messrs Parry & Co. Dec 24.  
14 Copies to Mr B. D. D.  
35/4

Rebated to England  
1864 October 12 48 of 1868.

23/7/58

Wm

Chas

Revenue 1868 94<sup>re</sup>

Pro of Gov for January

1868

Pro of the Madras Gov  
24/23 January 1868

From Messrs Pany & Co  
2/12 May 1868 & 22/6/49

From Messrs Pany & Co  
2/12 May 1868 & 22/6/49.

18391-392

18391-392