

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	<i>A78</i>	Press Mis.
Dated	<i>6-4-1859</i>	

Not to be folded or roughly handled

Fort Saint George, Revenue Consultation of 12th April 1859.

No. 5. Read the following letter from J. D. SIM, Esq., Secretary to the Board of Revenue; to J. D. BOURDILLON, Esq., Secretary to Government, R. D. dated 29th March 1859, No. 1077.

SIR,

From Collector 4th Jany. in Con. 23d Feby. 1856.

Pro to „ 23d February 1856.

From „ 9th Nov. in Con. 2d Dec. 1858.

Pro to „ 2d December 1858.

From „ 16th in Con. 21st Feby. 1859, No. 617.

I am directed by the Board of Revenue to submit for the consideration and orders of the Right Honorable the Governor in Council the correspondence entered in the margin regarding certain land at Ootacamund belonging to Mr. Rohde.

2. From this it will be seen that a piece of land measuring 35 Cawnies was sold by public auction to Mr. Rohde in 1856, for building purposes on the Collector certifying that its occupancy by that gentleman was unobjectionable either on public or private grounds.

3. It now appears that the land is situated in the immediate vicinity of a Mund appropriated by the Todas to religious rites, and that its occupation by Mr. Rohde is a great inconvenience to them.

4. Mr. Rohde states that the Mund was not occupied at the time he made his application, and the Acting Collector considers this probable as the Todas often temporarily vacated their Munds.

5. Mr. Rohde is willing to relinquish the land in question on receiving in part exchange 12 Cawnies and 9 grounds situated in different localities, and the Acting Collector states there is no objection to his occupation of them. About one Cawney of this land with brick fields and buildings on it is already in his possession, and he requests permission to hold it on Puttah irrespective of the sale rules. The remainder he begs permission to purchase at the Acting Collector's valuation, objecting to its sale by auction on the ground that he has improved part of the land at a considerable outlay, and that he would consequently be compelled to buy it at any cost.

6. It is not quite clear what land has been thus improved, but this is immaterial as Mr. Rohde had evidently not acquired a valid title to it. The Board consider it generally objectionable to permit exchanges of land, and they see no special reason for altering the present rules for the grant of lands on the Neilgherries in Mr. Rohde's favor alone. They therefore propose that the land now selected by Mr. Rohde shall be put up to public auction in the usual manner at an upset price of eight years' assessment, and recommend that sanction be granted for annulling the sale of the 35 Cawnies purchased by Mr. Rohde in 1856, and for refunding to him the purchase money, amounting to Rupees 325, which has been carried to the credit of Government.

(A true Extract.)

(Signed) J. D. SIM, *Secretary.*

No. 6. ORDER THEREON, No. 478; dated 6th April 1859.

The Honorable the Governor in Council entirely concurs in the course recommended by the Board of Revenue, and accordingly grants sanction for annulling the sale of the 35 Cawnies of land at Ootacamund purchased by Mr. Rohde in 1856, as well as for refunding to that gentleman the purchase money amounting to Rupees 325.

2. As regards the lands which Mr. Rohde has selected and is desirous of possessing in substitution for those which he has relinquished, the Government think with the Board that the proper mode for that Gentleman to obtain them is by purchase at Public Auction. According to the experience of Ceylon and all the Colonies great waste and jobbing is the certain consequence of adopting any other rule in disposing of public lands, than that of selling them to the highest bidder. There are doubtless inconveniences attending this in common with every other human institution, but they are not to be compared with those which have been proved by long and large experience to result from the plan of granting lands at a fixed price.

(Signed) J. D. BOURDILLON

Secretary to Government.

No. 1077.

From J. D. SIM, Esq., Secretary to the Board of Revenue.
To J. D. BOURDILLON, Esq., Secretary to Government, R. D.

SIR,

From Collector 4th January in Con. 23d February 1856.
Pro. to " 23d February 1856.
From " 9th November in Con. 2d December 1858.
Pro. to " 2d December 1858.
From " 16th in Con. 21st February 1859, No. 687.

I am directed by the Board of Revenue to submit for the consideration and orders of the Right Honorable the Governor in Council the correspondence entered in the margin regarding certain land at Ootacamund belonging to Mr. Rohde.

2. From this it will be seen that a piece of land measuring 35 Cawnies was sold by public auction to Mr. Rohde in 1856, for building purposes on the Collector certifying that its occupancy by that gentleman was unobjectionable either on public or private grounds.

3. It now appears that the land is situated in the immediate vicinity of a Mund appropriated by the Todas to religious rites, and that its occupation by Mr. Rohde is a great inconvenience to them.

4. Mr. Rohde states that the Mund was not occupied at the time he made his application, and the Acting Collector considers this probable as the Todas often temporarily vacated their Munds.

5. Mr. Rohde is willing to relinquish the land in question on receiving in part exchange 12 Cawnies and 9 grounds situated in different localities, and the Acting Collector states there is no objection to his occupation of them. About one Cawney of this land with brick fields and buildings on it is already in his possession, and he requests permission to hold it on Pattah irrespective of the sale rules. The remainder he begs permission to purchase at the Acting Collector's valuation, objecting to its sale by auction on the ground that he has improved part of the land at a considerable outlay, and that he would consequently be compelled to buy it at any cost.

6. It is not quite clear what land has been thus improved, but this is immaterial as Mr. Rohde had evidently not acquired a valid title to it. The Board consider it generally objectionable to permit exchanges of land, and they see no special reason for altering the present rules for the grant of lands on the Neilgherries in Mr. Rohde's favor alone. They therefore propose that the land now selected by Mr. Rohde shall be put up to public auction in the usual manner at an upset price of eight years' assessment, and recommend that sanction be granted for annulling the sale of the 35 Cawnies purchased by Mr. Rohde in 1856, and for refunding to him the purchase money, amounting to Rupees 325, which has been carried to the credit of Government.

REVENUE BOARD OFFICE,
Fort Saint George
29th March 1859.

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

Secretary.

Copy to Sub Collector in charge of Coimbatore.

I entirely concur in the course recommended by the Board of Revenue. As we cannot make good our contract with Mr. Rohde we are bound to return his money. And if he wants the lands which he has selected in substitution he must purchase

2-31 March

Ms.

Revenue 1859 Report
Dated 12th April 1859

No 572

From
The Secy to the Board of
the Dept of Genl & Me

Dated 24th March 1859
No 31

5 Gals. The 1859
H. H. H. H. H.

6th April 1859

Subm. the Comptroller's
return, dated 12th April 1859
relative to the land in
the possession of the
Board of Genl & Me
for the purpose of
the land in the
possession of the
Board of Genl & Me
for the purpose of

them by Public Auction.

According to the experience of England
and all the colonies the most fruitful
waste and jobbing is the certain consequence
of adopting any other rule in disposing of
public lands except that of selling them to the
highest bidder. There are, of course
inconveniences attending this in common with
every other human institution, but these
are not to be compared with those which
have been proved by long & large experience to
result from the plan of ~~granting~~ ^{granting}
lands at a fixed price as proposed for the whole
of the colony.

2 April 59

a.

Memorandum

The order of Govt
are requested on this
matter - It may perhaps
be found in time for
be brought to Council
to be considered -

The memorial
submitted to be dealt
out to Mr. R. L. H. is
perhaps rather hard -
It seems to be entitled
to some consideration,
as he brought the same

on the faith of a good

appearance -

with regard to the
general situation, it is
no doubt true that
the plan of an auction
in such cases is un-

fair, as it deprives

applicants of the benefit
of their own & desired

minutions & puts them

at a common level with

others - that it does not

seem easy to find an

unobjectionable

method; & it does
not seem expedient
to operate the auction
in connection with
the present case -

March 31.

I prefer the Board's
Recommendation
W
O

Rev: Deft

Memo

Res: Dept

N^o 1478.

Extract from the Memo: of Cons.
Underdate the 6th April 1859.

Read the following
letter from the Secy: to
the Board of Revenue

(Received 29 Mar 1859 N^o 1077)

The Honble the
Govr: in Council entirely
concurs in the course
recommended by the
Board of Revenue,
and accordingly grants
sanction for annulling
the sale of the 35
Cawnees of land at
Ootacamund purchased
by W. Rohde in 1856.
as well as for refund-
ing to that gentleman
the purchase money
amounting to Rs 325

As

m
L.I.
M.
H.M.

2. As regards the
lands which Mr. P. B. P.
has selected and is
desirous of possessing
in substitution for
those which he has
relinquished, the
Govt. think with the
Board that the pro-
per mode for that
gentleman to obtain
them is by purchase
at public auction
They think this course
~~is preferable~~, as accord-
ing to the experience
of Ceylon and all
the Colonies great
waste and jobbing
is the certain conse-
quence of adopting
any other rule in
disposing of public
lands. (than) that
of selling them to the
highest

highest bidder. There
 are doubtless in-
 conveniences attending
 this in common with
 every other human
 institution, but they
 are not to be com-
 pared with those
 which have been
 proved by long &
 large experience
 to result from the
 plan of Granting
 lands at a fixed
 price ~~as proposed~~
 by ~~Mr. Roberts~~

[Signature]

3 Copies to the Secy of the Dept of the Interior
 with 4 Encls.
 1 - to Acct. Genl.
 1 - to Civil Auditor

[Faint vertical text, possibly a stamp or marginal note]

Revenue 1859 Sept 15th
20th Dec 12th 1859

1854/58

Richard W. W. of Conn.
27th April 1859.

Granting sanction for
annulling the sale of the 85
acres of land at Setaconund
purchased by Mr. O. W. in
1856 and also for repurchasing to
him the purchase money amounting
to \$2225 and stating that
the proper mode of obtaining
the funds should be selected for
proceeding in substitution for
those which he has relinquished
and is by purchase at public
auction -

1854/58