

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2513	Press Mis. <u> </u>
93-94	
Dated 6-12-1914	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th December 1862.*

No. 93. Read the following letter from W. HUDLESTON, Esq., Secretary to the Board of Revenue, to Honorable T. PYCROFT, Chief Secretary to Government, dated Madras, 14th October 1862, No. 6,882 B:—

SIR,

In Cons. 25th September 1862, No. 6,147.

1. With reference to paragraph 2 of the Government Order dated 24th September 1862, No. 2,080, Revenue Department, I am directed by the Board of Revenue to submit the accompanying Draft Rules for the sale of Waste Land in this Presidency, which appear to them to contain all that is necessary for the information of the public, and the publication of which will in their opinion answer all purposes without any further Notification, save a short heading to state that under the sanction of the Supreme Government, they are prescribed by the Local Government for the guidance of all public Officers and intending applicants.

2. In the Draft Rules submitted by this Government to the Government of India, under date 25th February last, and which were communicated to the Board as the groundwork of those to be now published, and many provisions with which the public has little concern, and on these the Board would propose that separate instructions be issued to the Collectors.

3. The points in question relate mainly to the registration of reserved tracts, to the registry of grants, and transfers of grants, and to the procedure in regard to rejected claims to land sought for purchase. The draft bill on the subject provides for this last matter, but it will be well to notice it to the District Officers in anticipation of the enactment.

4. The draft which the Board now submit is mainly based on the published Rules of the Bengal Government, and the Board would request attention to the terms of paragraph 23 regarding registered applications under the Resolution of October 1861, which they have retained unaltered, but which is not consistent with the recent decision of Government in the case of the Messrs. Burgess in Ganjam. The Board would submit for the consideration of Government the expediency of one uniform course being adopted in this matter in all the Presidencies alike, to remove ground for dissatisfaction. The Board would also point out that these general Rules cannot be applied to the Neilgherries, if the recent orders of Government regarding land there situated be maintained. The provisions for realizing all Government dues connected with this system of sale of waste land by the summary process provided for the realization of arrears of Land Revenue, will need to be supported if approved, by a short Act of the Legislature, or the necessary powers might if thought proper be included in the draft bill for the adjudication of claims to waste and for the investment of the sale proceeds.

No. 94. ORDER THEREON, 6th December 1862, No. 2,553.

1. With this letter the Board of Revenue submit a draft of Rules, for the sale of unassessed waste land in this Presidency. The Board in their draft follow very closely the Rules published for Bengal, and explain that such instructions as may be necessary for the guidance of the Officers of Government in matters of routine will be separately issued.

2. The Governor in Council has carefully perused the Board's draft and considers that in several respects it may be improved, while in some it is opposed to the views of Government. A fresh draft has therefore been prepared and is appended to these orders.

3. For the guidance of the Board in the application of the Rules the Government will briefly notice such of them as need special remark.

4. Rule III.—The Government consider the proposed maximum of 3,000 Acres far too large in this Presidency. The object of having a maximum is to secure the interests of the State and to prevent the monopoly of land to the injury of the public. It is obvious that if land is put up in blocks of 3,000 Acres the competition at the auction sales will be limited. Persons of moderate means will be debarred from bidding, and in self-defence the Government must fix a higher minimum price than would otherwise be necessary. The Government consider that the

proper course is to prescribe a reasonable limit to the size of lots but to allow intending purchasers to apply for as many lots, each not beyond that limit, as they please. The Government consider that a lower maximum should be fixed for building lots in towns, than for lots required elsewhere for agricultural purposes. The Government accordingly fix on 500 Acres as the maximum for agricultural, and 10 Acres as the maximum for town allotments.

5. Rule VIII.—The “excess” here mentioned means some material extent beyond the maximum limit. The Collectors will be allowed some discretion in this matter, taking care that Rule III is not purposely or practically evaded.

6. The upset price cannot be entered in this Rule or indeed fixed until the Board furnish the information called for in paragraph 4 of G. O. 24th September 1862, No. 2,080. The instructions of the Secretary of State on this subject are explicit. The Local Government “after communication with the chief local authorities” are to fix “a minimum price suited to the circumstances of the various descriptions of land, which they may find to be at their disposal in each District of their Presidency.”

7. Rule XIII.—The Government think the simplest plan of arranging for the payment of the expenses of Survey and Demarcation by the actual purchaser will be to include them in the upset auction price. If the original applicant prove to be the purchaser, he will get credit for whatever sum he may have paid, otherwise it will be repaid to him at once out of the purchase money.

8. Rule XV.—The Government think that the proposal to allow credit for ten years is unreasonable, and by giving facilities to persons without capital to take up land on the speculation of its rising in demand and value at some future time would prove prejudicial. The Government consider that three years’ credit with interest at 6 per cent. (instead of 10 per cent. as entered in the Board’s Rule) is extremely liberal. The Deeds A and B in this Rule and C in Rule 17 must be carefully drawn up and be as brief and simple as is compatible with legal validity. The Deed B should effectually provide for the ejectment of the conditional occupant, for the recovery of the dues of the State, and the resale of the land without the tedious remedy of a Civil Suit.

9. Rule XVII.—The rate of interest in the Board’s Rule XX is 5 per cent., but 4 per cent. is that fixed by the Secretary of State. The latter rate has consequently been adopted by Government.

10. Rule XIX.—The Government do not see the necessity of the following words, which occur in the Board’s Rule IX, “and to every other claim, whether of the Government or otherwise that may have been or may hereafter be established in any Court of competent jurisdiction.” The sale of lands under the new Rules does not remove them from the jurisdiction of the Courts and a general reservation of this kind seems superfluous.

11. Rule XX.—The reservations in this Rule are necessary for the protection of the interests of Government and the public.

12. Rule XXI.—The object of the new Rules is to enable persons who wish to buy unassessed waste land, to do so, and not to debar Government from granting such lands to those who desire them, on other terms; otherwise all land now unassessed and waste will be locked up until purchasers are forthcoming. The Government have made their Rule fuller than the corresponding one of the Board (24) in order that there may be no doubt on this point. The Government do not see any reason for excepting town allotments from these Rules. With a maximum as to their size and the competition which may be reckoned upon for such lots, the interests of Government and the public will not be endangered.

13. The Government have omitted the following rules of the Board :—

(1.) Rule XVI.—The provisions of this Rule can only be entered in the deed given to the purchaser. The Ryotwary law is applicable only to lands held on Ryotwary tenure and is limited to the Madras Presidency. The Waste Lands Act, on the other hand, will apply to all India, and a special provision for the realization of the dues of the State in the Madras Presidency could not appropriately find a place in that enactment. The purchaser must, before obtaining possession, execute an agreement drawn up in legal form that he will pay his dues and that in default Government may re-enter and re-sell at his risk and loss.

(2.) Rule XVIII.—No prices can yet be fixed, and the other portions of the Rule may be entered in the instructions to Collectors.

(3.) Rule XIX.—With a previous survey and demarcation the necessity of this Rule is not apparent. Such mistakes as the Rule provides against can only occur through great and culpable negligence.

(4.) Rule XXI.—This Rule would more appropriately appear in the Collector’s instructions.

(5.) Rule XXIII.—The Government have already decided this point in the negative.

14. The Board will lose no time in placing themselves in communication with the Government Law Officers, and having the forms of Sale advertisement and Deeds prepared, so that they may be published along with the Rules, for general information. The Rules can meanwhile be circulated to the Collectors.

15. The Board will also call upon the Collectors to submit without delay the upset prices they would propose in their respective Districts with their reasons for the same. These prices can be separately published in the Fort Saint George and District Gazettes, but it is of great importance that they should be fixed without further unnecessary loss of time.

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

RULES FOR THE SALE OF UNASSESSED WASTE LAND IN THE MADRAS PRESIDENCY.

1. Unassessed waste lands in which no rights of private proprietorship or exclusive occupancy exist and which may not be reserved as hereinafter* provided may until further notice be sold under the following Rules.

2. Applications for land under these rules shall be addressed to the Collector of the District in which the lands are situated and shall comprise the following particulars :—

(a) The estimated area of the land applied for.

(b) The situation of the land and its boundaries as accurately as can be ascertained.

3. No lot shall exceed 500 Acres unless otherwise specially ordered by Government. Within Towns, Villages, Hill stations, Railway stations, and Sanitaria the maximum extent of a lot shall be 10 Acres.

But any person may apply for several contiguous lots, each not exceeding the above limits.

4. Every lot shall be compact and shall include no more than one tract of land capable of being surrounded by a ring fence, and when the land touches a public Road, navigable River, Canal, Backwater, Railway or Tramway, the length of the road or river frontage shall not exceed one half of the depth of the lot.

5. No lot shall be sold unless it has been previously surveyed and demarcated or until it shall have been surveyed and demarcated.

6. If on receipt of an application under Rule 2 the Collector has reason to believe that the land applied for is saleable under these rules, he shall call upon the applicant to deposit with him the estimated cost of surveying the land and of marking it out with durable boundary marks, unless the land is already surveyed and demarcated. The Collector will refund to the depositor any portion of his deposit which may not be actually expended in the survey and demarcation and similarly the depositor shall pay any deficiency.

7. If the applicant fails to deposit the sum required under Rule 6 within six weeks his application shall be considered to be withdrawn.

8. On receipt of the deposit required under Rule 6 the Collector shall as soon as possible cause the land applied for to be surveyed and marked out and shall exclude from the lot all excess which may be found on survey beyond the limits prescribed in Rule 3, and shall advertise the

Rules for the Sale of unassessed waste
Lands and the Redemption of the Land
Tax on existing Grants.

Rule 1. All unassessed waste lands in
which no right of proprietorship or exclusive oc-
cupancy is known to exist, or to have existed
and to be capable of revival, are available
for purchase under these Rules unless special-
ly reserved under Rule 21.

2. No greater quantity of land than three
thousand acres shall be sold in one lot except
with the special sanction of the Government (off-
for special reasons, in particular localities, a
lower maximum area than three thousand acres
should be determined upon, it will be duly
notified hereafter.)

3. Every lot shall be compact and shall
include no more than one tract of land ca-
pable of being surrounded by a single fence;
and when the land touches a Public Road
or a Navigable River, the length of the Road
or River frontage shall not exceed one half
the depth of the lot. No lot will be sold
unless

except Rule 1
Verbal

500 Acres

to be

Is - 12 3

unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated in consequence of an application for purchase. The survey need be only in sufficient detail to ensure the ready identification of the boundaries of the lot, and to ascertain its gross area. If on completion of the survey it shall appear that the area of the lot applied for exceeds the prescribed maximum, the excess shall be excluded.

4. Applications for the purchase of waste land shall be made to the Collector of the District, and every application shall contain the following particulars.

- 1st The estimated area of the land applied for.
- 2^d The situation of the land and its boundaries as accurately as can be ascertained.

5. If the Collector be satisfied that the land applied for is available for purchase and within the conditions prescribed in Rules 2 and 3, and if it have been previously surveyed

Surveyed and demarcated, he shall advertise the lot for sale on a given day at an upset price of not less than 2 Rupees & Annas an acre on the whole area. The advertisement shall be published in the Collector's Office, in the Court of the Principal Judicial Officer of the District, and at the Moonisiff's Court (if there be one) and Police station within the limits of which the lands are situated, and also in every issue of the District Gazette between the date of the advertisement and the date of sale.

6. If the Collector be satisfied as above, and if the land have not been surveyed, he shall without delay cause it to be surveyed and its boundaries demarcated, the estimated cost of such survey and demarcation being first deposited by the applicant. On the completion of the survey, the advertisement of sale shall be published as above.

7. The day of sale to be named in the advertisement, shall not be less than thirty days from the date of publication,

and

and the sale shall be held at the Collector's Office or at such other place as the Collector may notify in the sale advertisement. The sale may be postponed, if in the Collector's judgment, it be necessary, due notice being always given of the date on which the sale will be held.

8. If before the day of sale no claim of proprietary, or occupative right in the land be preferred, the lot shall be sold by auction to the highest bidder above the upset price, or to the applicant at the upset price if there be no higher bid.

9. On payment of one-tenth of the purchase money and of all expenses of survey, demarcation, advertisement, and sale, the purchaser shall receive a Deed (in a form which will hereafter be issued by the Board of Revenue) signed by the Collector on behalf of Government conveying to him the lot, in full hereditary and transferable proprietary right, free for ever from all demand on account of Land Revenue, but subject nevertheless to all general taxes and local rates imposed by Law

Law, and to any other claim whether of the Government or otherwise that may have been or may hereafter be established in any Court of competent jurisdiction.

Note.
The Bill provides that the Collector shall reject such application to Government who may order a suit to be brought against the claimant to try his right and if the decision be in his favor he will receive compensation.

10. If before the day of sale a claim of proprietary or occupative right in any part of the land be preferred, the Collector shall investigate the claim, and, if satisfied that it is groundless, shall reject it and proceed with the sale.

11. If on investigation any such claim should appear to be well grounded, the Collector may either reject the application for purchase of the lands by an endorsement on the application stating briefly the grounds of rejection or may refer it for the orders of the Board of Revenue. In the former case the applicant may appeal to the Board of Revenue.

Note.
The Bill provides for the trial at the Government desire of rights admitted by the collector.

12. The Board of Revenue may direct the Collector either to reject the application or may recommend to Government that a suit be brought to try the claimant's right and the sale of the land will be dependant on the result of such suit. If the application for purchase

purchase of the land be rejected, the amount deposited as cost of survey will be forfeited.

13. On being put in possession of the lot, the purchaser shall be bound to erect as many substantial boundary marks of masonry as the collector may think necessary. Should he fail to do so after due and sufficient notice the collector may himself cause them to be erected, and may recover the cost by the summary process authorized by Law for the realization of the Public revenue.

14. If the land be purchased by any person other than the applicant, the estimated cost of survey deposited by the applicant shall be at once refunded to him by Government.

15. The purchaser may, if he choose, pay the whole of the purchase money when the lot is sold or the Deed delivered to him. Or, if he choose, he may pay a portion, not being less than 10 per cent. at the time of sale, and the remainder by instalments within any future time, not being more than ten years from the date of sale. In the latter case simple interest, at the rate of 10 per cent

a

a year will be charged on the unpaid portion of the purchase money, and the whole lot will remain hypothecated as security for the full discharge of the amount including principal and interest, and he liable to sale by order of the collector if the said amount be not paid within the stipulated period.

16. The interest payable under the preceding Rule shall be paid half yearly on or before 30th June and 31st December of each year.

If not paid within fourteen days of the said dates, the collector shall proceed for its recovery by distraint and sale of the crop or other moveable property on the land, or by the sale of the land itself in accordance with the Regulations under Law.

In the latter case the land will be sold subject to the outstanding debt on account of the original purchase money.

17. If the purchaser fails to pay ^{the whole} one-tenth of the purchase money and all other expenses within ~~three~~ ^{three} months from the day of sale, the lot will be put up to sale again on the same conditions as before, and sold at the risk of the first purchaser whose deposit should he have made one as first applicant will also be forfeited. The entire loss by resale shall

shall be recoverable from the first purchaser by the summary process provided for the realization of Land Revenue.

18. The upset price will be calculated on the whole area of the lot without any deduction on any account whatever. Ordinarily the upset price will be Rs. Annas an Acre, but in special cases the Collector, with the sanction of the Board of Revenue, may put a higher upset price on any lot, provided that the upset price of available waste lands shall in no cases exceed Rs. Annas an Acre. *The maximum rate in the Bengal rules is Rs. 10 per acre, and the ordinary rate is Rs. 2-8-0 per acre.*

19. If it should at any time be found that the same land has been included in more than one lot it shall be held to belong to the lot first sold, and all subsequent sales shall as regards such land become null and void. In the event of any dispute regarding the boundary of two or more adjoining lots, the Collector may, on the application of any one of the parties, re-adjust the boundaries of the lots, and his decision shall be final. The price paid by any subsequent purchaser for land thus excluded from his lot will be refunded to him with simple interest at 10 per cent.

20. All grants of waste land already made for a term of years under previously existing Rules, in which no right of occupancy or proprietorship exists, except that of the grantee or that derived from him, will be treated for the purposes of this Rule as if the land were permanently settled; and the grantee or their representatives may redeem the future land revenue of such grants or of any compact part of them in perpetuity, for an amount equal to the present value of all future stipulated annual

Note. The minimum interest, provided the said amount is not less than Rs. 2-8-0 per acre.

annual payments calculated at 5 per cent, provided the said amount is not less than Rs. Annas an Acre on the whole area of which the revenue is redeemed.

21. All sales of waste land and all redemptions made under these Rules in each District will be reported immediately to the Board of Revenue in such form as the Board may direct, but no sale of waste lands once made by a Collector in conformity with these Rules will be disturbed by any higher executive authority whatever.

22. Reserves of grazing and forest land, of land for the growth of firewood near Towns and Stations, of building sites, parks, recreation grounds, and the like, and of land required for other special purposes, are not to be sold under these Rules without the express sanction of the Government. A Register of such reserves will be maintained in the Collector's office, and will be open to inspection by intending applicants at such times and under such rules as the Collector may prescribe by notification in the District Gazette.

23. Lands for the purchase of which application has been made under the Resolution of the 17th October 1851, will, if such application were duly registered, be

be dealt with in accordance with the terms of the said Resolution so far as the Law allows.

24. From and after the date of the promulgation of these Rules, no fresh applications for the purchase of waste land under any previous Rules will be entertained, but the existing rates for the sale of Building sites reserved under Rule 22 are not affected by this order, nor is it in any way applicable to the case of Darkhast by Ryots for land to be held on ordinary pottah.

G. Andrew.

Sec. Secy.

Memorandum

The Board of Revenue submit rules for the sale of unoccupied waste lands, and for the redemption of the land tax on existing grants.

2 The rules are such only as require to be made known to the public for the guidance of intending applicants. Any instructions that may be necessary for the information of the Revenue Officers are to be sent to them separately.

3 Some of these last points as well as some of those embraced in the present rules will be provided for in the draft Act on which this

Govt.

Decr = 2808/62.

Enclosure in letter from the Secretary to the Board of Revenue to the Chief Secretary to Government dated 14th October 1862.

Rules for the sale of unoccupied waste lands and the redemption of the land tax on existing grants.

Nov. 1. 1862. M. S. 1862. 93.

Government have lately re-
ported to the Government
of India.

1. These draft rules ^{are} mainly
based on those lately pub-
lished by the Gov^t of Ben-
gal. The Board have retained
para 23 of those rules as

per margin, regarding re-
gistered applications for lands
under the resolution of October
1861. but they point out
that this rule is not consist-

ent with the recent decision of
Gov^t in the case of the Mefers
Bungees in Ganjam. The
Board do not express any
decided opinion on the subject
but they submit for the
consideration of Gov^t the expe-
diency of one uniform course
being adopted in this matter

Lands for the purchase of which
application has been made
under the Resolution of the 17th
Oct. 1861 will, if such appli-
cations were duly registered
be dealt with in accordance
with the terms of the said
Resolution so far as the
same allows.

W. J. Munro
H. J.
G. O. 9. Oct. 1862 R.D.
No. 2179.

in all the Presidencies alike to
remove grounds for dissatisfaction.
5 The Secretary of States
Despatch of 9th July last para
7b says that the orders therein
given "were not intended to have
retrospective effect and that
if any arrangements in regard
either to the purchase of waste
lands or the redemption of
the land revenue have been
actually completed under the
provisions of the resolution of
October 1861, they must so far as
is compatible with the law, be
scrupulously carried into effect."
6 This it seems to me is a
very different thing from
saying that all applications
that had been registered should
be dealt with under the resolu-
tion - that is that the lands
should be sold to the applicants
at

none have been registered

9 Turning now
to the rules them-
selves the quali-
fication in Rule 1
seems quite proper.

Nevertheless its pro-

Meerafsee en gues:

Waste Cunds in which no right of proprietorship or exclusive occupancy is known to exist, or to have existed and to be capable of revival -

— The thought and the
the thought and the
the thought and the
the thought and the
the thought and the

you will join me or will

See May 1907
Wm. L. Carter

I have been thinking of you
 very much lately and
 wondering how you are
 getting on. I hope you
 are well and happy. I
 have been very busy
 lately but I will write
 to you again soon.

[illegible]

Mr. 500 would be long since
 100
 200

It is rightly understood

present a bridge
house

Quantität Anzahl
gleichen bis

will at once object, and
the Government will
either have to give way,
or to bring a suit against
the alien as a carrier under
Section 1111 of the Draft
Act.

to be polished in wet, look
3000 acres. This is the

Brigat Maximilian
was that of the Stagger
town of 7 October, 1865.
but it never large.

11. Rule 11.
When the land touches
a Public Road or a navigable River the length

of the road or River from
tag shall not exceed

one half the depth of
the lot. I do not quite
see the necessity for the

provision made in
12. Rule 5.2.2. on the
"Universal" and

Leaves

* Note
The Bungee C. Maximilian

32.22 of the Cal. Gaz for 1862
Vide, in page 2 para 17
In Bengal the ordinary
rate is Rs 2-8 per acre
the maximum Rs 10

The upset price will probably in many cases be the actual price as there will be no competition.

Two

[illegible]

Two rupees and a half seems a low price - etc. it is proposed as a minimum only. - The actual upset prices have yet to be determined.

13. Rule 6. - The applicant should be required to deposit the estimated cost of putting up boundary stones - as well as of survey and demarcation. The cost would not be much and would supersede the necessity of proceeding under Rule 13. - This is the course proposed by the Collector of Coimbatore in his draft rules for the sale of waste lands on the Nilgheries.

14. Rule 10. - shall "reject it and proceed with the sale." This is at variance

variance with the view
taken by Govt. of the
provisions of Section 3
of the draft act accord-
ing to which if a claim
be preferred and re-
jected by the collector
and appeal made to
Government. the Go-
vernment must send
the claimant or defer
to his claim. The Board
do subsequently say
para 12 that the Board
of Revenue may re-
commend to Government
that a suit be brought
to try the claimant's
right and the sale of
the land is to be depend-
ent on the result of
such suit. but accord-
ing to the view taken
by Government in their
letter to the Government
of

the Govt. will require to be
satisfied that the claimant
is not a fraudster.

13 Oct/62 S. 2203

as he has no money
to pay for the purchase
he should be allowed to
pay in installments
or by mortgage.

of India. the Govt. must
see or acquiesce in
the claim.
15 Rule 13. the pur-
chaser should be
obliged to erect bound-
ary marks before
being put in possession.
- now. vide supra
para 13.
16. Rule 15. Ten years
seems a long time to
allow a purchaser
for completing his
purchase. To be sure
it is the maximum
time and would
probably rarely be
given. Why interest
should be at 10% does
not appear. 12% is
that authorized by the
regulation

the Govt. of India have
afforded all the time
that follows for the
purchase of the land.

I don't see that go-
ing to court is a man who has
no property in the land
he should be looked upon as
a tenant & made to
pay the interest as that
amounting to 10%.

regulations for arrears
of revenue - 6% is
now the rate more
usually charged on
Government con-
tracts per. If the
conditions specified
in this para are
entered in the title
deed and in its
counterpart it will
pretty well secure
Government without
the resort to special
legislation contemplated
in the last para of
their letter - The
disturbance and sale of the

Crops

It is suggested that the conditions specified in this para should be entered in the title deed and in its counterpart it will pretty well secure Government without the resort to special legislation contemplated in the last para of their letter -

The suggested

16
Crop mentioned in rule
16 would require legis-
lative sanction. as would
the summary process al-
luded to in Rule 17.

Rule 18. what should these
ordinary and maximum
upset prices be?

18. Rule 20. an amount
equal to the present
value of all future
stipulated annual
payments calculated
at 5 per cent. This which
will be equivalent to
redemption at 20 years
purchase, does not seem
consonant with Sir C.
Wood's despatch of July
1862 para 32.

What shall the
minimum amount be?
In Bengal it is Rs. 2-8
which seems very low
P. 19 22 There will be some
difficulty about drawing
up this register. and I
doubt whether it be
necessary

needing. If a man applies for land falling within these categories his claim should be rejected by the Collector and he might if he pleased appeal to the Board of Revenue.

20. A further letter 25 September last has since been received from the Government of India expressing their hope "that" great caution will be exercised in regard to the disposal of Forest lands" and stating their opinion that "as a rule such lands should be reserved until it can be more clearly seen than it is at present what may be required from them in the interests of the general public."

The present rules do not apply to the sterling hills but the letter from the Govt of India should.

See
The Chola has been cut down in the vicinity of the hill.

+? See 10/11

17
This is very important everywhere and especially on the sterling hills. One of the first results there of the stoppage of October 1861 was an application for the Governor's Sholah - one of the largest woods on the hills and that from which most of the firewood for the supply of Cochin is brought.

21. Rule 23 vide supra para 4.

22. The final orders on the rules can of course be passed until they have been seen by the President on his return to Aludra.

J.P.

Memo on the Rules for the
sale of ungrazed waste lands

12/11/11

I have gone carefully
over the whole Waste
Land Subject & beg
to submit a revised
draft of Rules for
final order with
the following narration

1. Rule 1 is the 18th
rule simplified &
with the addition
of the saving clause
"until further notice"

2. Rule 2 is the 18th
rule 4.

3. Rule 3 corresponds
with 18th Rule 2 &
here no more are needed.

I have a total of 500
acres as the maximum
number of each ordinary
lot - This is the pre-

Limit enough
to give a
very good
1/11

Evidence proposed.

Mr. Maltby's remark
is that in the 18th
rule "power is re-
served to supply a
lower maximum".

The rule however pro-
vide for a lower acting
at once on their bidding
reference to any

amount, so that it
seems to me desirable
that some limit
should be fixed here.

The great object is to
prevent monopoly &
the injury of the public
and to secure the best
uses of the State by
ensuring fair com-
petition. If course if
3000 acres were
put up, the bidders
will be few & left in

self defence must
put on a higher upb
price than would
otherwise be necessary.
It seems to me that
the soundest plan
would be to fix a
reasonable maximum
to the size of each lot
and allow purcha-
sers to apply for as
many such lots as
they please. Thus a
man wanting 3000
acres would apply
for six blocks of
500 acres each. Then
each lot is open com-
petition at the sale
while no one could
complain of not
adhering to rule
in that which their
actions would be
a force -
Again it seems to me

that there ought to
be a much lower
limit for Town lots.
It would never do to
allow one person to
monopolize building
land in such localities.
This principle was
laid down in the rule
which this first sent
to Calcutta.

My rule is
drawn up on the same
principles & I beg
pardon thereon.

Rule 4. is 18th rule
3. with the addition
of Canal. & in
the first clause
would fit with the
underlined words
obtained? I don't know.

Rule 5. is part of
18th rule 3. I have
not said (as the 18th
proposes) what the Survey
need be. The Com. C.

Contains 3

14

20

Can be told this in
then separate instruc-
tions

Rule 6. Comprises
parts of 18th 5 & 6 ^{and} ~~and~~
as desired by Sir C.
Wood, it provides ex-
pressly for deposit of
the estimated cost of
Survey & Demarcation
as a preliminary.

Rule 7. so new & pro-
vides a time within
which the Survey money
should be deposited.
Without some such rule
an application may
be on the Com. C. books
for more than 4 years.

Rule 8. Comprises the
latter part of 18th
rule 3 & the question
of upset price.
The first point for
order is how any
excess about the pre-

Very necessary
I think

scribed. Maximum
is to be dealt with.

The 18th propose to ex-
clude it from the
lot - The President
should rather have it
"paid for at the price
of the rest of the lot".
I beg to point out that
the discovery of this
excess will be made
before the sale & I sh^d.

submit that the present
rule of excluding the
excess is suspect.
The side ^{man} may look
the maximum by
asking for a block
which he "estimates"
at 500 acres, though he
knows well enough

that it contains 700!
Of course by "excess"
is meant some material
extent - not a few
acres only. This is

I think so

the side man

the side man

In some discretion left
in the respect of the
in their instructions.
The other point is the
up set price. On this
Sir C. Wood says
the Local pot "after
communication with
the chief local au-
thorities" should be
instructed to fix "
"a minimum price
suited to the cir-
cumstances of the
various descriptions
of land which they
may find to be
at their disposal
in each district
of their presidency
or province". Sir C.
Wood evidently con-
templates a mini-
mum to be arrived
at after consultation. In
consideration I printed

to locality & soil.
This is clearly to be
inferred also from
the previous part
of the Despatch.
The R^d here referred
to the C^{ms} and until
their copies are re-
ceived the mini-
mum upset price
cannot be fixed.
Even then it will
probably be found
that a separate
determination of prices
will be most con-
venient. I have
inserted my rule
accordingly. The
upset price prescribed
for the locality or for
the peculiar description
of land selected, as
the case may be.

Rule ~~III~~ 9. Consistent
with Rule 7 of B^d.

I would meet the land
at the police office
Yes

3 except that I have
added that the
advertisement shall
be in the Perinaculor
also - and that - as
ordered by Sir R. Wood
it shall be posted
"on the land itself
as well as in the neigh-
bouring villages." If the
fr^t think the rule pro-
vides for too much
"publishing", the Courts
& Police Office may be
left out - but it is best
to be on the safe side,
especially when we
are dealing with matters
with which that may
not be out.
I have not provided
for the place of sale
nor for post payments
of sale, as proposed by
the R^d as I can think
a seller has always

The right of naming
time & place. Sub
this can easily be
added, if not wish
it.

Rule 10. This is new
and is added for
safety - so the
it some cases may
sent & others may
not sent others - &
there will be printing
& complaints.

Rule 11. This is also
new & intended to
meet the case of a
man with drawing
his application & then
expecting the full
refund of his deposit
although the block
may have been half
surveyed.

Rule 12. This is also
new. If the first applicant

does not want the
land why need it
be put up as a matter
of course?

Rule 13. Here I propose
that the up let price
shall include the
cost of survey & which
will then be known.
If the applicant also
deposited the money
for the lot, it will
be refunded to him
if he does not get the
lot - it will be paid
over to him. I think
this is the simplest
plan - which respects
Rule 14 - needs no
remark.

Rule 15. This needs
order. I propose that
on the sale being de-
clared the purchaser
shall pay down 10 per cent.

It is a matter of
course that the
money deposited
for the lot will be
refunded to the
applicant if he
does not get the
lot.

—C—

in order to be sure
don't give bidding.

Second. I propose that
the deposit shall
be on the lowest price
which will be generally
known & a little than
on the highest bid which
will not be known before
hand. There are in-
teresting bidding rules.
Know exactly what
money he must take
with him.

Without these pre-
cautions any man
may walk in - buy
all the lots at fancy
prices - and walk
off to amuse him-
self similarly on the
next occasion -

Next comes the im-
portant question when
the balance of pur-
chase money is to be
paid & whether pos-
session is to be given
before payment in full.

4 The Ad. follows the
Royal rule - viz 10 per
cent down - and the
remainder ~~in~~ at
any time within 10
years, interest being
charged at 10 per cent.
in the latter case.

The President
should not give the
possession - or at least
the title deed, until
the purchase money
is paid up.

Mr. Maltby thinks
it desirable that
the Royal plan which
it is to be presumed
has met with the
approval of the Gov-
ernment - should
be followed for the
sake of uniformity.

Mr. Morehead
was in favor of
half down & the
other half in 3 or

6 more than
Mr. Pyckett has
not yet had an
opportunity of expressing
his views.

Considering that
it is optimal with
a man either to
become a proprietor
or (if he has not the
necessary capital) to
take land at an
annual unvarying
assessment, I do
not see how any
one can reasonably
expect such long term
credit as 10 years. Cer-
tainly a man who
cannot pay up in
less than 10 years is
not the kind of capi-
talist which we care
about attracting!
The extended credit

I would allow the
balance, 40 per cent,
to be paid up in three
equal annual instal-
ments with interest
at the rate of 6 per
cent. The land
being either a resale
on default of any
instalment or the
purchaser for being
entitled to re-entry
for that purpose. The
purchaser should
execute an agreement
committing to him
to remain in
possession

I agree in the above
remarks - J.M.

by terms with his-
tory. And by his price
at the auction. He
can't the more dis-
turb the time of pay-
ment, the less & the
possibility of men care
about the price to be
paid - but whether it
will be better for the
State is another question.
I have drafted 2
alternatives which
for consideration.

I propose further
that the deeds shall
at once be prepared
by the pro. Law Officers
and ordered to the
Recorder so that all
may know what
they are about. The
delay is of no con-
sequence until the
upset prices are fixed.
This renders Rule 9 of
the 18th Draft (the latter
part of which I don't

in distant/ un-
necessary.

Rule 16. I propose
this in lieu of Rules
10-11-12 of the Bds
Draft. We do not yet
know what changes
may be made in
the Waste Lands
Bill. and the safest
plan is to say that
the Com will ^{appoint} ~~with~~
according to the Act
a city official can
easily be attached
to the office.

I have added the
saying clause "or...
any other rights in-
compatible with the
Sale of the land un-
der these rules" to
meet such cases as
that of a mortgagor
not in possession or
occupancy but with
a right to the land if

the mortgage is not
paid up - & the like.

Rule 17. This follows
closely the Bd's Draft
No 20 - which again
is a copy of the Bengal
rule 19. I have altered
the rate of interest
from 5 to 4 per cent
and provided for a
form of deed.

Rule 18 is the redem-
ption rule, unal-
tered - being 22 of the Bd.

Rule 19 is taken
from the latter part
of Bd's rule 9 and
Bengal rule 9 - I
have omitted the
words "and any
other claim, whether
of the mortgagor or otherwise
that may have been
or may hereafter be
established in any

Court of Competent
"jurisdiction." No
we can suppose that
the ~~rule~~ ^{rule} of Courts under
the rules reserves
them from the juris-
diction of the Courts
and a deed "in
full ~~propriety~~ ^{hereditary} &
transferable proprietary
right" with such a
proviso would not
be worth much.

Rule 20 is new &
seems to me necessary.
It is taken from cl.
6. of the form of title
deed which was put
sent to Calcutta.

Rule 21 is taken
from the Rds 24
but is fuller. I
take it that the
object of these rules is
simply to enable

those persons who wish to
buy unassessed
waste land to do so
so as to prevent
put from going over
lands to those who
seek them on other
terms - Other waste all
land now unassessed
will be locked up
till purchasers ap-
pear - The Rds reserve
building lots which
are to continue at
the "existing rates".
These on the hills
are 20 Rs per acre -
elsewhere I am not
aware of any fixed
rate - With auction
sales & a small
maximum - such
as 10 acres - I do not
myself any need
of reservation as such
lots are sure to be

Completed for - with
the present needs
order.

I have omitted the
following rules of
the Bd.

I. Rule 16. The pro-
visions of this rule
must be entered in
the agreement with
the purchaser - if
credit be given - The
Ryotwary law is ap-
plied the only claims
held on the Ryotwary
principles and is
limited to the Madras
Presidency. The Waste
Lands Bill is appli-
cable to all India -
I does not refer to
the realization of the
 dues of first. There is
only the alternatives

Let the purchaser before
he get possession be obliged
to execute an agreement,
drawn up in tight legal
form, that he will pay
his stipulated instal-
ment with interest,
and that in default he
has no remedy - i.e.
all, the loss by resale
being at his risk & recon-
- sidered by ordinary legal
process - This will be
enough for all purposes

JP

of a Special Local
Act & this is at-
tended with dis-
culties; as the sales
are effected under
Rules which fort-
may at any time
alter - and not by
Law.

II. Rule 18. No prices
have yet been or can
be fixed. The view
of the rule is matter
of instruction to the
Cm.

Rule 19. With a pre-
liminary survey & de-
marcation the work
as the rules provide
for, I cannot see
the necessity of this
rule. The adjustments
will lead to a double
something - 10 per Cent.

Securin a high rate
on uprands -

III. Rule 21. This
seems matter for
instructions to the
Clerk

IV. Rule 23. Matters
under order - no
arrangements for
Sale having been
Completed here.

JWS

Mem^o
on
Rules for the
Sale of Waste
Land.

App^d - W^m
do - but in a few cases only
passing GP.

+ Rule ~~16~~

Mem^o
- After meeting has
been arranged, this is
not to belong to Govt & the
Applicant who has to receive
back the money which he
deposited for the survey &
answer to the question which
the survey ought to show
that the Applicant
risk - 2/11

Rules for the
Sale of Unassessed
Waste Land in
the Madras Presi-
dency

1. Unassessed waste
Lands in which no rights
of private proprietorship
or exclusive occupancy
exist and which may
not be reserved as here
+ in after provided, may
until further notice be
sold under the follow-
ing Rules.
2. Applications for
land under these rules
shall be addressed
to the Col^l of the Dis-
trict in which the
lands are situated, and
shall comprise the
following particulars
a) The estimated area
of the land applied for
The

16/ The situation of the land and its boundaries as accurately as can be ascertained.

3. - No lot shall exceed 500 acres unless otherwise specially ordered by Govt. - Within Towns, Mill stations, Railway Stations and Sanitaria the maximum extent of a lot shall be 10 acres.

But any person may apply for several ^{each} contiguous lots not exceeding the above limits.

4. - Every lot shall be compact and shall include no more than one tract of land capable of being surrounded by a ring fence, and when the land touches a public road, navigable river, ^{Canal, Backwater} Railway

1. or Tramway the length of the road or river boundary shall not exceed one half of the depth of the lot. -

5. - No lot shall be sold unless it has been previously surveyed and demarcated, or until it shall have been surveyed and demarcated.

6. - If on receipt of an application under rule 2 the Coltr. has reason to believe that the land applied for is saleable under these rules, he shall call upon the

applicant to deposit with him the estimated cost of surveying the land and of marking it out with durable boundary marks unless the land is already surveyed and demarcated.

The Coltr. will refund to the depositor any portion

If the land should be unsurveyed, the first step will be to survey it, the applicant of course depositing the estimated cost of that proceeding. On the completion of the survey and at once in the case of surveyed land, the boundaries of the plot should be marked out" para 11. - Sec C. Works Department.

portion of his deposit which may not be, actually expended in the survey and demarcation & similarly the depositor shall pay any deficiency before he receives possession of the land.

7. - If the applicant fails to deposit the sum required under rule IV within twelve months his application shall be considered to be withdrawn.

8. - On receipt of the deposit required under rule IV the collector shall as soon as possible cause the land applied for to be surveyed and marked out & shall exclude from the lot all excess which may be found on survey

vide mem.

I think there should be some limit like this - or we shall have endless confusion -

vide mem.

+ ...
...
...

v. mem.

This is surely necessary.

See C. Wood's own words para 11 of Despatch.

Survey beyond the limits prescribed in Rule 2, and shall advertise the lot for sale, on a given day to be fixed so as to admit of the notice required in Rule 9 being given at the upset price prescribed for the locality or for the peculiar descriptions of land selected, as the case may be. The advertisement shall be in English and in the vernacular of the district and shall specify the extent and boundaries of the lot - the upset price - and the place and time of sale - It shall be posted for 30 clear days on the land itself as well as in the neighbouring villages, in the collector's office & in the court of the principal judicial

Judicial officer of the district, the Mooniff's court (if there be one) and the nearest Police office - It shall also be inserted in the district Gazette. - The [Mr. Chalk]

his discretion for this time & place if he may allow himself necessary incurred charges that the [unclear] be [unclear] of such charge

I think this is necessary to prevent any [unclear] disputes.

10. - The collector shall send written notice of the place and time of sale to the applicant, but no sale shall be disturbed in consequence of the non-receipt of such notice or delayed in consequence of the non-appearance of the applicant -

11. - An applicant withdrawing his application prior to the sale of the land will be entitled only to the refund of so much of his deposit as may not have been expended. -

after survey at the request of an applicant, it should prove that the lands are not available for sale at the time the applicant withdrew his application. -

12. - On the withdrawal of

This permissionary

of an applicant shall be discretionary with the collector to prove as to the sale of the land or not, as he considers best for the public interest -

Under Memo

13. The upset price shall in all cases include the cost of survey

If the original applicant be the purchaser, he shall receive credit for his deposit's payment. - The residue the amount shall be paid to him at once from the sale proceeds.

and demarcation - which cost shall be refunded from the sale proceeds to the original depositor -

14. If before the time of sale no claim of private proprietorship or exclusive occupancy be preferred to the land, the lot shall be put up to auction and sold to the highest bidder above the upset price or to the applicant at the upset price,

price, if there be no higher bid.

15 The successful bidder shall immediately on the sale being declared pay down 10 per cent. of the ~~offer~~ price paid, viz which the lot shall be forthwith resold at his risk and expense.

The balance of the purchase money shall be paid before possession of the lands shall be given. If the balance of purchase money ~~is not paid~~ ~~within 30 days~~ ~~of the day of sale~~ ~~the land shall be resold at the purchasers risk and expense by public auction~~

In test as all
15

may at the option of the purchaser be paid in full within 30 days (in which case no payment a deed in the form annexed to these rules will be furnished to him) ~~or if not paid in full~~ ~~within 30 days~~ ~~the land shall be resold at the purchasers risk and expense~~
or in 3 yearly instalments of equal amount bearing interest from the day of sale at the rate of 6 per annum. In the latter case the land will remain hypothecated to Govt as security for the punctual discharge of the unpaid principal and

and interest as they fall due - and on default of any such payment shall be resold at the expense and risk of the defaulter - after 30 days notice by advertisement in the District Gazette.

16 If before the time of sale a claim of private property, right or of any other right incompatible with the sale of the land under these rules shall be preferred to the land or any part of it, the collector shall proceed in accordance with the provisions of Act of 1862. The sale of the land shall meanwhile be postponed and shall ultimately depend on the issue of the Progs held under the said Act.

vide Memo

17 Grants of unassigned waste

waste land already
made for terms of years
under previous rules
and in which no right
of occupancy or proprie-
torship exists except that
of the grantee or such
as may be derived from
them, may at the option
of the grantee or their
representatives be brought
within the operation of
these rules and the
grantee or their repre-
sentatives may redeem
the future land revenue
of such grants or of
any compact part of
them in perpetuity for
an amount equal to
the present value of
all future stipulated
annual payments
Calculated

Boards Rule 20.

35
calculated at 4 per
cent interest provided
the said amount is
not less than the
prescribed minimum
for the locality or the
description of land
included in the
grant. If the
amount as above
calculated be less
than the prescribed
minimum, the latter
shall be the redemp-
tion price. And pay-
ment of the said price
the proprietor shall
receive a deed in
the

the form annexed
to these Rules.

18 Reserves of
grazing and forest
land, of land for
the growth of fire-
wood ~~and~~ ^{wood} ~~and~~ ^{wood}
and ~~plantation~~ of build-
ings, sites, parks, re-
creation grounds, and
the like, and of land
required for other spe-
cial purposes, are not
to be sold under these
Rules without the
express

express sanction of the
Government. A Register
of such reserves will be
maintained in the Collector's
office, and will be open
to inspection by intending
applicants at such times,
and under such rules as
the Collector may pres-
cribe by notification
in the District Gazette.
19. Lands sold in ac-
cording to these
rules shall be for
ever free from all
demand, on the part
of the State, on ac-
count of Land Rev.
but shall nevertheless
continue subject to
all general ^{land} ~~land~~ ^{land}
rates imposed by
Law.

20. The Existing & Cus-

Common rights of
Ind. of other Proprietors
& of the Public in
Existing roads & paths
and in streams
running through or
bounding lands sold
under these rules
are reserved & in
no way affected by
their sale or by these
rules.

21. Nothing contained
in these rules shall
be held to bar the
Ind. from granting
unassessed waste
lands on public,
Crown or other lands at
their discretion or
otherwise.

J.H.

22. It shall be
compulsory on the
Ind. to report to the
Ind. on any land
if any part of it from
the date of their

Draft Rule,

Revenue Department
No. 2553
Proceedings of the Madras Legislative Council
under date the 3rd Decr 1862.
Read the following letter

Submitting draft Rules for the sale of waste land in this Presidency.
From a Rev. P. 1862
14 Oct 1862

Unopposed

With this letter the
Pdt of Rev. submitted
a Draft of Rules for
the sale of Waste
Land in this Presi-
dency. The Pdt. in
the Draft follows very
closely the Rules pub-
lished for Bengal &
explains that such
instructions as may
be necessary for the
guidance of the Officer
of the office in matters of
entire will be separately
issued.

The princ has
carefully perused the
Pdt. Draft and con-
siders that in several
respects it may be

imposed while in
some it is opposed
& the view of Gov. A.
Prescott has been
I've been prepared
and is appended
to these orders.

For the guidance
of the Bd. in the
application of the
rules the Gov. will
briefly state such
of them as need ^{special} re-
mark.

Rule III. The Gov.
considers that the
proposed maximum
of 3000 acres ~~per~~
is too large in this
Presidency. The object
of having a maxi-
mum is to secure
the interests of the
State & to prevent
the monopoly of land

to the injury of the
public. It is his
view that if land is
put up in ~~one~~
blocks of 3000 acres
the competition at
the auction sales
will be limited to
persons of moderate
means and he de-
barred from bidding
& in self defence
the Gov. must fix
a higher minimum
price than he had
otherwise been paying.
The Gov. considers that
the proper course is to
prescribe a rea-
sonable limit to
the size of lots put
up and allow ^{interested} ~~the public~~
purchasers to apply
for as many lots
each not beyond their
limit - as they please.

The ^{1st} also contends
that the lower maxi-
mum should be
fixed for building
lots in towns, than
for lots required else-
where for agriculture
-but purposes.

The ^{1st} accordingly
fixes on 500 acres
as the maximum
for Agriculture at
10 acres as the maxi-
mum for town ~~lots~~
allotments.

Rule D. The "Excep-
~~tion~~ ~~is excluded~~
here mentioned is suf-
ficient to be some ma-
terial extent beyond
the maximum limit.
The Com. will be allowed
some discretion in this
matter, taking care
that ~~the~~ rule 3 is
not ^{purposely or practically}
~~evaded~~ -

2/ The upset price ^{cannot}
be entered in this
rule or indeed fixed
until the WH furnish
the information called
for in para of
G.O.

The ~~Secy~~ instructions
of the Secy of State
on this subject are
explicit - The Local ^{for}
"after communication
with the chief local
authorities" are to
fix "a minimum
price suited to the
circumstances of
the various descriptions
of land, which they
may find to be ab-
solutely disposal in each
district of their Presi-
dency"

Rule 13. The ^{1st} ~~thinks~~

The simplest plan
of arranging for the
payment of the ex-
penses of survey &
demarcation by the
actual purchaser,
with he too include
them in the ^{upset}
auction price. If
the original applicant
^{proposes} to be the purchaser, he
will get credit for
whatever sum he
may have paid - other-
wise it will be repaid
to him at once out
of the purchase money.

Rule 15th

The ^{propos} ~~pro~~ think
that ^{the proposal to allow} credit for
ten years is ~~not~~
~~quite~~ unreasonable
and would give
facilities to persons
without capital

+ of the ~~conditions~~
occupant - for
the recovery of the
dues of the State
& the value of the
land without
the tedious remedy
of a Civil suit.

41
to take up land
on the speculation
of its ^{rising} ~~increased~~
in demand &
value at some
future time. &
~~would~~ thus prove
prejudicial. The
pro^{pos} consider that
3 years credit
with interest at
6 per cent (instead
of 10 p.c. as entered
in the 18th rule) is
extremely liberal.
The deeds A & B
in this rule & C
in rule 17 must
be carefully drawn
up & as brief & simple
as is compatible
with legal validity.
The deed B should
expressly provide
for the expenses.

Rule ~~20~~¹⁷. The rate
of interest, in the
18th rule ~~20~~²⁰ is 5 per

cent 4 per cent is
that rate fixed by
the Leg of State.

The latter rate has
consistently been
adopted by the

Rule 19. The first do
not see the necessity
of the ^{following} words which
appear in the 18th rule
9 — "and every
other claim, whether
of the first or other rule
that may have been
or may hereafter be
established in any
Court of competent
jurisdiction." The sale
of lands under the
new rules does not
remove them from

3 the jurisdiction of the
Courts and a general
reservation of this kind
seems superfluous.

Rule 20. The reservation
in this rule are ne-
cessary for the protection
of the interests of first
and the public.

Rule 21. The object of
the new rules is ~~to~~^{to}
enable persons who
wish to buy unadvised
waste land, &c. &c.
and not to deter first
from purchasing such
lands & those who de-
sire them, on other
terms — Other rule are
land now unadvised
& waste will be looked
up until purchasers
are forth coming. The
first have made them

rule fuller than
the corresponding one
of the 18th (24) in
order that there may
be no doubt on this
point. The Govt. do
not see any reason
for excepting Town
allotments from these
rules. With a maxi-
mum as to their size
and the competition
which may be reckoned
upon for such lots, the
interests of Govt & the
public will not be im-
paired.

The Govt. have omitted
the following rules of
the 18th.

I. Rule 16. The provisions
of this rule must be
entered in the deed
given to the purchaser.
The Registrar is ap.

prohibited only to lands
held on Ryots any
tenure and is limited
to the Madras Presi-
dency. The Waste
Lands Act on the
other hand will
apply to all India
& a special provision
for the realization
of the dues of the State
in the Madras Presi-
dency could not ap-
propriately find a
place in that Enact-
ment. The purchaser
must, before obtaining
possession execute
an agreement & draw
up in legal form
that he will pay
his dues & that in
default the Govt. may
re-enter & resell
the land at his risk & loss.

Rule 18. No prices
can yet be fixed
and the other portions
of the Rule may be
entered in the in-
structions to the

Rule 19. With a pre-
vious survey &c.
near the receipt
of this Rule is ap-
parent. Such mis-
takes as the Rule
provides against can
only occur through
neglect & culpable
negligence.

Rule 21. This rule
should more appropriately
appear in the Com-
missioners' instructions.

Rule 23. The pt. has
already decided
the point in the
negative.

The pt. will be
at once in place
themselves in com-
munication with
the pt. Law Officers
having the forms of
sale advertisements
and deeds prepared
so that they may be
published along with
the rules for general
information. The
rules can meanwhile
be circulated to the
com.

The pt. will also
call upon the pt.
to be paid in front
delay the appeal price
they had to propose
in these respects
Dispute with the
com. These prices

can be separated
published in the
Brit. St. press &
District. printer, but
it is of great im-
portance that the
should be fixed.
in that for the un-
necessary loss of time

Ed.

14 Copies Sold to Post Office Dept 84

Revenue 1862 Dept.
Pro: of Govt for December

No. 2553.

Pro: of the Madras Govt
16th December 1862

Draft rules submitted by the Board of Revenue for the sale of unoccupied waste land in this Presidency, with orders thereon.

No. 460-468
25-2-62

No. 462
462A-463 } 24-9-62

No. 93 & 94.