M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1375 Press ~~Mis.~~

328 829

Dated 17-7-~~19~~ 1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 17th July 1863.

No. 328. Read the following Proceedings of the Board of Revenue, dated 1st July 1863:—

Read the following letter from G. A. BALLARD, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Calicut, 23rd June 1863, No. 123.

SIR,

Letter from Deputy Collector of Wainad, dated 20th instant, No. 76, with one enclosure, *i. e.*, letter from Colonel Wooldridge, dated 10th June 1863.
(Both requested to be returned.)

1. I have the honor to submit the papers noted for the consideration and orders of the Board.

2. It will be seen that in October last, the Mutána of the Tiranhalli Pagoda assumed to dispose to Colonel Wooldridge of a tract of about 500 Acres, concerning which it was well known enquiry was pending, and which has been declared Government land.

3. No money has been paid, nor does it appear that the formal agreement has been concluded, though in anticipation thereof, and with consent of the pretending owners, Colonel Wooldridge has cleared a small portion of the land.

4. The terms under which Colonel Wooldridge would have held from the Trustees of the Pagoda are, firstly, a perpetual annual payment of Rupees 12 on the whole tract.

Secondly.—A single payment of Rupees 4 per Acre of forest, Rupees 3 per Acre of bamboo, and Rupees 2 per Acre, scrub and grass, on cultivation as opened.

5. The land appears to have been demarcated by the Settlement Department. The reckless way in which lands are disposed of by the Trustees of these Pagodas, is shown by the fact that a considerable portion of the land pointed out to Colonel Wooldridge appears to be within the Coorg boundary.

6. I would propose that, firstly, any agreements with the Pagoda, as concerns the Pagoda, be ignored; secondly, that as Colonel Wooldridge has so far entered on the land, its sale by auction be dispensed with, but that a valuation be determined by three competent parties and that it be offered to Colonel Wooldridge at that rate. The cost of demarcation and survey would be debited to this amount.

Thirdly.—That the lan dbe then made over on the usual conditions of Rupees 2 and 1 per Acre per annum on forest and open land respectively throughout.

7. As a portion of the land is in Colonel Wooldridge's possession, I think it would be preferable to proceed in this manner than to take up the question under Act 23 of 1863.

I doubt not that Colonel Wooldridge would assent to what I have proposed.

8. If not, the portion not entered on might, I conceive, be dealt with under Act 23 of 1863, and recourse could be had to the Civil Courts to settle the question with regard to the remainder

I request I may be favored with early instructions.

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1. Submitted for the decision of Government.
2. Mr. Ballard's proposal commends itself to the Board.

(A true Copy and Extract.)
(Signed) W. HUDLESTON, *Secretary.*

No. 329. ORDER THEREON, 17th July 1863, No. 1,315.

1. The Board of Revenue submit for orders a letter from the Collector of Malabar relative to the disposal to Colonel Wooldridge by the Trustees of the Tiranhalli Pagoda in Wainad of a tract of about 500 Acres, which has been declared Government land.

2. It is observed that Colonel Wooldridge entered into arrangements with the Trustees respecting the land in question only in October last, when it was notorious that their title to the same was disputed by the Government. It is further observed that no payments have been made

to proceed in the same way
as has been adopted in other

by Colonel Wooldridge for the land; that the purchase has not been concluded; that the consideration is inadequate; and that part of the land on which he has entered is not in Wainad at all.

3. Under such circumstances the Government cannot admit Colonel Wooldridge's claim, and he should be warned not to interfere further with the land, as being Government property. He can, if so disposed, apply for the land under the rules, and in that case it may be put up to auction with an upset price equal to whatever sum he can show that he has really laid out in clearing and planting, *plus* the estimated cost of survey and demarcation, if the land be not already surveyed and demarcated. If at the auction Colonel Wooldridge purchases the land, the sum spent by him in its improvement and included in the upset price will be refunded to him; and if he is out-bid by others, it will be paid to him by Government out of the purchase money.

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

itself to the Board.

/ A true Copy & Extract /

Secretary.

To J. D. Sim Esq.
Secretary to Government
Revenue Department

with 2 Original enclosures.

Note.

Col Wooldridge entered into arrangements with the Trustees only in Oct.r last — when it was notorious that pot. disputed the claim of the Trustees to the land — no payments have been made by him — the ~~agreement~~ purchase has not been concluded — the consideration is inadequate and part of the land on which he has entered is not in Wynaad at all.

It is clear that the fairest way will be to proceed in the same way as has been adopted in this

Tuck's claim as they consider he should be treated in any arrangement with Col. W. he cannot be allowed to be a party to the sale as being Govt property — he can apply for it under the rules, which any one may do, and (when such application is made) the matter will be taken up

Rev. Depart.t 3

No. 1315.

Proceedings of the Madras Government
Under date the 17th July 1863.

Read the following Pro
of the Bd. of Revenue.

Here enter 1st July 1863

Submitting for decision a letter from the Coll.r of Malabar forwarding certain papers relative to the disposal, to Col.l Wooldridge by the Trustees of Tirumalli Pagoda, of a tract of about 500 acres which has been declared Govt. lands —

The Bd. of Revenue submit for orders a letter from the Collector of Malabar relative to the disposal to Colonel Wooldridge by the Trustees of the Tirumalle Pagoda in Wynad of a tract of about 500 acres which has been declared Government land.

2. — It is observed that Colonel Wooldridge entered into arrangements with the Trustees respecting the land in question only in October last when it was notorious that

Rec.d 7th July 1863
Read 8th July 1863
Proceedings of the Madras Govt.
Dated 3rd July 1863
& Misc.

No. 23 Revenue 1863
Rec.d 7th July 1863
Read 8th July 1863
Dated 3rd July 1863 with Papers
& Misc.

Similar cases. He sees no reason why an extensive tract should not be sold by auction under the rules, but with an upset price equal to the value of such land as Col W. can show that he has really laid out in clearing & planting, plus estimated cost of survey & demarcation — of the land he has already surveyed & demarcated. If at the auction Col W. purchases the land the Govt should be credited in its disbursement, while he would be entitled to him — if any one else purchases it — that sum will be paid to him by pvt. act of the purchaser money.

I do not [illegible] 23/63

title

that their claims to the lands was disputed by the Govt.
It is further observed that no payments have been made by Col. Wooldridge for the land; that the purchase has not been concluded; that the consideration is inadequate; & that part of the land on which he has entered is not in Wynaad at all.
3- Under such circumstances the Government cannot admit Col. Wooldridge's claims and he should be warned not to interfere further with the land, as being Government property - the case if so disposed, applying for the land under the rules and in that case it may be put up to auction with a reserve price equal to the value he can show that he

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has really laid out in clearing and planting, plus the estimated cost of survey and demarcation, if the land be not already surveyed and demarcated. If at the auction Colt. Wooldridge purchases the land, the sum spent by him in its improvement and included in the upset price and will be refunded to him; but he is outbid by others if it will be paid to him by Govt out of the purchase money.

I. D. S.

To
The Bd of Revenue
&c &c &c

Revenue 1863 Deptt.
Pro: of Govt. for July
N: 1315.

Pro: of the Madras Govt.
Dt 17 July 1863.

Disposal to
Coll. Wooldridge
by the Trustees of the
Tiruchalli Pagoda
of a tract of about
500 acres of Govt. land
ordered to be objected.

N: 328 & 329.