M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 245 Press
Mis.

45. 46

Dated 5— 2— 19 86.3

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 5th February 1863.

No. 45. Read the following letter from H. D. RAE, Esq., to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, Madras, dated Surat, 8th December 1862:—

SIR,

1. I have the honor to acknowledge the receipt of the Order of Government No. 2,266, of the 23rd October last, and to observe that I shall have much pleasure in accepting the Title Deed therein ordered to be offered to me.

2. With reference to the 3rd paragraph of the above G. O. I would respectfully beg to point out, (1) that my original application was in effect simply that I might hereafter be allowed more land for the same cultivation on the same terms as the present grant; and (2), that this request of mine was as simply granted—without any saving clause confining the cultivation on those terms to any particular locality either on my part or on the part of Government.

3. To state now however, as the aforesaid 3rd paragraph does, that the promise of Government had only reference to the valley of Sholoor, is both an error regarding the spirit of actual facts and a practical withdrawal now in effect of the power extended more than two years ago of increasing my cultivation hereafter on the same terms in consideration of my readiness to face the risk of bringing this experimental new industry to an issue on the then valueless grass lands of the Neilgherries.

4. The valley in question, beyond the grant to me, contains no land to speak of beyond my boundaries fit for my cultivation; indeed so much is this the case that (1) a portion of the 240 Acres allotted runs into the *next* valley; and (2), even the acreage granted contains some 50 Acres constituting a spur in the centre of the valley that nearly in all parts is wholly unfit for the Tea plant. Besides the above there are other pieces scattered about that amount to some 15 Acres that are of no value to me, but which I have been obliged to include to make the Estate as compact as possible.

5. In addition to the above the late Collector has caused it to be placed on record that one-tenth of the Estate is too stony to be arable. In summing all these up we have more than a third (90 Acres) of the grant (240 Acres) that I shall be unable to bring under cultivation. And this being the existing state of matters I can most positively and confidently assure Government that to confine my extending my cultivation to the valley of Sholoor is practically to debar me from any increase to the area granted of 240 Acres, a measure I am sure that could never have been contemplated.

6. As I am desired to address Government again on this subject when my experiment proves successful, I trust I may then not find myself and partner confined to a locality where any considerable extension to our cultivation is altogether impracticable.

7. May I venture to ask what, if any, steps have been taken about the procuring of a competent Chinese Manipulator from the Himalayas? I am obliged to concot measures now and ask the above question as the plants are beginning to come into bearing.

No. 46. ORDER THEREON, 5th February 1863, No. 245.

1. In this letter, Mr. Rae of Sholoor signifies his willingness to accept the Title Deed offered to him in the Proceedings of Government 23rd October 1862, No. 2,266; but demurs to that part of the Order (paragraph 3) which informs him that the promised extension of his holding is to be in the Sholoor valley and not elsewhere.

2. The letter will be communicated to the Government Solicitor with instructions to forward the Deed to the Collector of Coimbatore without delay for execution by Mr. Rae, who still holds the land at Sholoor without any Title Deed.

3. The Government see no necessity for entering at present on the question of a further grant of land, unless Mr. Rae points out any adjoining his present lot which he wishes to have in consequence of a portion of the latter proving, as alleged by him, unfit for Tea cultivation. Mr. Rae asked and the Government conceded the "power to *extend* his "holding hereafter, on the same terms if he is successful." An *extension* of a holding clearly implies an increase to it by the addition of adjoining land. It forms a new grant when land in a different locality is given. It is for the Government to decide how far they will extend the original grant; and certainly they are not bound to keep any land in distant places waste for Mr. Rae's future use; but land immediately adjoining his present grant will not be given to others without first offering him the option of taking it.

4. With reference to paragraph 7 of his present letter, Mr. Rae will be informed that four manipulators are expected from the North-Western Provinces, and that as soon as they arrive, the services of two of the men will be placed at his disposal.

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

Note

In this letter Mr. Rae
of Shollor expects his ac-
ceptance of the title deed
issued to him in C. O.
23 Oct 1862 but demurs
to that part of the order
which informs him that
the promised extension of
his holding is to be in the
Shollor Valley & not else-
where.

The title is contained
in para 7 of P.O. 23d Augt
1860 & runs thus
"Mr Rae wishes & hopes
yours to extend his holding

hereafter on the same
terms, if he is successful
then the first will succeed."

It has always seemed
to me that the Extension
of a Holding meant an
augmentation of it in
one or more directions —
Not an entire & different
part in some other lo-
cality —

The plea is vague
in one other respect — it
does not say how large
the Extension may be —
& I can see much hardship

that if pt. meant the Ex-
tension to be any where as
the Rules they would not
have named some limit.
If Mr Rae is right in his
interpretation, I see
nothing to prevent him,
when successful, from
asking for 5000 acres ad-
joining for 5000 acres ad
Coraner or the Division —

It will be seen from
par. 13 of the Pts. Pres:
Recorded in the same
G.O that in their opinion
225 acres was sufficient
at first "leaving it to be
hereafter extended as the
Experiment progresses."

I do not therefore see
reason, myself, for any
modification of the first order.
On the other hand however
Mr. Rae was clearly of the
part land of fair quality
& if 1/3 of his land is really
good & can fit for tea culture.
-tion, it should be made good
him - When I visited the
place, Mr Rae's agent & the
Collr. I think considered that
the full extent of broken land
could be planted at 5 shillings
The Collr might be asked
about Mr Rae's assertion -
From the Tea Manufactories
as the enclosed Telegram
file shows are being erected by
Dr Jamieson but these are
apparently intended for

Mr Rae's case, as the first
on Mr Rae's case is silent
on the point. I think it
would be well now the while
to give Mr Rae this assis-
tance - the pay of the men
is only Rs 16 per m: each.
Mr Rae's letter will
be com.d to the first Bd.
in order that he may
send him the deed -
Orders respectfully
requested

You can tell Rae
must be recollected
reference to grant
WM

Yes Else

You
Else

L. D. S.

- There is no necessity in my opinion to enter on
the question of more land now only the Board
points out any adjoining his present lot which
he wishes these not in consequence of a

portion of it growing must for cultivation
- the extension implies, as the sine qua
non increase of the present holding by the
addition of adjoining land - It forms a
new grant when land in a different
locality is given -
It is for Govt to decide how far it will
extend the original grant - & certainly
Govt is not bound to check any land in
distant places with for the Ryots future
use - though land immediately adjoining
his present grant should not be given to
other applicant first offering him the
choice &c

Revd Sept.th

No 245.

Proceedings of the Madras Govt
Under date the 5th July 1863.
Read the following
letter from H. D Rae Esq.

Reporting that he shall
have much pleasure in ac-
cepting the Title Deed of-
fered to him by Govt on
offering remarks on the quan-
tum of rent to be fixed on his holding.

Rec.d under date 8th Dec.r 1863

In this letter, the
Rae of Sholoor signi-
fies his willingness
to accept the Title
Deed offered to him
in the Proc.s of Govt.
23rd Oct.r 1862 No 2266.
but demurs to that
part of the Order (pa-
ra 3) which informs
him that the provisi-
onal extension of his hold-
ing is to be in the
Sholoor valley pro-
per & not elsewhere. The

Keep in
conformity
with the requisite
of the Regulation
of the Records
Dept

C 16 Jany/63 R 22d

2.— The letter will be communicated to the Govt. Solicitor with instructions to forward the Deed to the Coll.r of Coimbatore without delay for execution by Mr. Rae who still holds the land at Mudaloor without any title Deed —

3.— The Govt. see no necessity for entering at present on the question of a further grant of land, unless Mr. Rae points out any adjoining but present Cot which he wishes to have in consequence of a portion of the latter proving, as alleged by him, unfit for

Tea Cultivation. Mr. Rae asked and the Govt. conceded the power to extend his holding hereafter, on the same terms if he is successful. The extension of a holding clearly implies an increase to it by the addition of adjoining land. It forms a new grant when land in a different locality is given. It is for the Govt. to decide how far they will extend the original grant; and certainly they are not bound to keep any land in abeyance waste for

Mr.

Mr. Rae's future use;
but land immediately
adjoining his pre-
sent grant will not
be given to others with-
out first offering
him the option of
taking it. —

4. — With reference
to para 4 of his pre-
sent letter Mr. Rae
will be informed
that four Commissi-
oners are expected
from the North Western
Provinces, and that as
soon as they arrive,
the services of two
of the men will be
placed at his dis-
posal. —

10 to 18

4 Govt Solicitor Dept 6 | 1 Copy to the Collector of Canbaton Dept 5
W.B. J. Reeve | H.C. Rae Esqre
Genl Mc L | 8 Com. of Immigration

Copy in a Letter to England
of 16th February N.12 of 1863

Revenue 1863 Dept.
Pro. of Govt. for Feb.

N. 245.

Pro. of the Madras Govt.
of 5th February 63.

From the Govt. Coll. of 23d Jan.
1863 C. N. 1524
Pro. of the Board of Revenue of
Bezwada 16 Oct. 1862 C. 1556.

Mr. Rae's letter sig.
intimating his willingness
to accept the Title Deed
offered to him in G. O.
23d October 1862 N. 2266,
with orders thereon.

N. 45 & 46.