M.R.O. 14—10,000—27-3-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1148 Press ~~Mis~~

57-56

Dated 4-7- ~~15~~ 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 4th July 1864.

No. 55. Read the following Proceedings of the Board of Revenue, dated 9th June 1864, No. 3,533.

Read the following letter from the Collector of Coimbatore, dated Ootacamund, 1st June 1864, No. 111:—

1. I have received Proceedings of the Madras Government, Revenue Department, and their Order thereon dated 23rd May 1864, No. 888, calling for a report on the sale of a piece of land at Coonoor purchased by Mr. Smith. The said land was applied for by Mr. Smith on the 10th April 1863. In view to ascertaining whether it could be sold, I personally examined the boundaries of the adjacent lands on two occasions. On the last occasion I was accompanied by the Tahsildar, the Sub-Magistrate, Mr. Smith, Mr. Mann's Agent, Ponambalam, and other parties, bazaar men who attended, I presume, as a matter of curiosity to see and hear what was going on. Having ascertained that there was no objection to the sale of the land, the usual notices were sent to the Tahsildar of the Neilgherries to be posted at the Joint Magistrate's, the Police, and Tahsildar's Offices at Ootacamund, and the Sub-Magistrate's Office at Coonoor, as well as on the land. These notices, as well as a notice for insertion in the District Gazette, were signed by me at Coimbatore on the 23rd of December with the exception of the Notice for the Gazette; the rules were complied with in regard to all other Notices. The Notice for the Gazette, as I now learn, was not published; it was sent in to the Printing Office on the 24th December; the next day was Christmasday, followed up by the Christmas holidays, and by some neglect the Notice was overlooked. The omission was irregular, and is to be regretted; but so far as the piece of land is concerned, I don't think it would have made the least difference in its destination. In forwarding the Notices to the Hills, Mr. Hannyngton was requested to attend to the sale of the land; but it so happened that when the date for its sale came round, he was some sixteen or twenty miles distant beyond Kotagherry, superintending the demarcation of two pieces of land in an out-of-the-way part of the country which had been applied for by Mr. Grimes, and did not attend the sale, which was conducted by Major Wapshare, the Joint Magistrate, at the door of whose office all sales are held. I write these circumstances in detail, as Colonel Woodfall evidently seems to think that some underhand course has been pursued in regard to the sale of this land, and if this be the case, the Collector, the Special Assistant Collector, and the Joint Magistrate must all have been implicated. I shall now notice Colonel Woodfall's letter in detail.

2. In order to admit of the sale of lands without delay beyond the time actually required by law for advertisement, Government sanctioned their sale previous to survey, and this course is now generally followed. With regard to the demarcation of this land and several other pieces of land purchased by gentlemen, we have been obliged to remain satisfied with rough boundary marks until able to take up each lot and dispose of it finally. By following this course, the wishes of intending purchasers have been advanced, and the public interests have not been injured. On one side of the land in question, is waste land with a stone quarry on it, which the Executive Engineer works. On the other side, is a broad pathway. On the third side, Government waste land, and if I remember aright a pathway runs below it.

3. Colonel Woodfall states that so quietly was the matter "managed" that Mr. Hillier alone Mr. Smith's Agent was present; who managed it quietly is not said, and I cannot tell; but I may remark that except on the occasions of the sales of valuable lands, very few people beyond the actual purchasers ever attend the auctions.

4. Before the introduction of the Rules for the sale of Waste lands, it was the practice to send round a notice of the proposed sale of lands to the European residents in Coonoor; it would be difficult to do so now; for, if the course were to be followed at Coonoor, then why not at any other station where a European lives. As a matter of fact the Sub-Magistrate has, from the force of habit, at times followed the old practice; but not under orders from my Office.

5. The sale of this land was tom-tomed in Coonoor according to old practice; the writer of the letter marked B may be faithful to his master, but I have no high opinion of him. Without corroborative proof, I would not place much confidence in what he said or wrote.

6. With regard to the Notice posted in the land, it was posted there in the latter part of December, and Colonel Woodfall's letter was written on the 19th of May; that the Notice was effaced was to be expected; it is only to be wondered at that it existed after so many months exposure to sun, wind, and rain. That it has been "carefully effaced," I cannot credit, for there was no object in effacing it.

Mr. H. DeFaclen.
" H. R. Grimes, 3 pieces of land.
Nunjappah Rao.
Mr. W. Mullaly, 2 pieces of land.
Major E. Grant.
Mr. Eckersall.
" A. Hunter, 2 pieces of land.
" A. T. Brown, do.
" J. H. Schnarel.
Lieutenant Jennings.
Mr. Hocklotes.
Reverend L. DeGelis.
Mr. Kay.
" W. Robinson.
" Dawson.
Commander Mitchison.
Mr. E. Smith.
Doctor Rogers, 2 pieces of lands.

7. In answer to the latter clause of this paragraph, I give a list of the parties who have purchased lands, from which it will be apparent that the "higher ranks" have not been such sufferers as one would at first be led to think from Colonel Woodfall's insinuations.

8. The advertisement of lands in the newspapers would be expensive and enhance their price, which would not be approved of by the purchasers; the settlement of this point must lie with Government. The District Gazette at present costs 3 Annas per mensem. The subscribers to the reading rooms might take them in and thus become acquainted with the proposed sales of land in all parts of the District. I need hardly remark, that the price asked for a piece of land by a private individual does not always represent its saleable or real value at auction. I have not had an opportunity of asking Mr. Smith about his land, but I should think he would take considerably less than 2,000 Rupees in ready cash for it.

9. This application refers to a period antecedent to my joining the District: at Colonel Woodfall's request, previous to the receipt of the Proceedings of Government under reply, the records were searched, but no application was discovered; however after the rules for the sale of waste lands were received, a Circular was issued from my office for the information of all parties concerned to the effect, that all previous applications for lands would be considered as cancelled, unless parties renewed them in accordance with the terms of the new rules. Colonel Woodfall, it appears, has a copy of the rules for the sale of waste lands; if he will now go to the expense of taking in the District Gazette, he will always be fully informed as to any future sales of land in the Coimbatore District.

1. Ordered to be submitted for the information of Government, with reference to the Proceedings quoted by the Collector.

2. With the exception that no advertisement was published in the District Gazette, the sale in question appears to have been conducted in accordance with the rules.

3. The Board are however of opinion that as regards sales of land on the Hills, it may be desirable to advertise in the local paper as well as in the District Gazette. The interests of Government will be served by the fullest publicity.

No. 56. ORDER THEREON, 4th July 1864, No. 1,148.

Land Revenue.

1. The Collector shows that the sale of the land referred to was conducted in due form except that the advertisement did not appear in the District Gazette. This omission ought not to have occurred, and the Collector will take measures to prevent the recurrence of such mistakes. The Government however do not see reason to cancel the sale on this account.

2. In future all sales of land on the Neilgherries will be advertised in the "Neilgherry Excelsior" and the Fort Saint George as well as the District Gazette.

(True Extract.)

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

To the Board of Revenue.
F. Col. C. Woodfall
Exd. S. T. Augustin

Rev. 23 Sept. 68 No. 374 - 2nd
Ry. 1148.

The Collr. thinks that the sale of the land referred to was conducted in due form except that the advertisement did not appear in the District Gazette - This omission ought not to have caused the Collr. reason to cancel the sale on the account.

No future sale or sales of land on the Neilgherries.

No 53 to 56.