M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2756 Press Mis.

173 · 174

Dated 13 — 11 — 1865.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
13th November 1865.

No. 173. Read the following Proceedings of the Board of Revenue, dated 4th November 1865, No. 7,082.

Read Board's Proceedings, dated 23rd June 1865, No. 3,488.

Read also the following letter from the Collector of Coimbatore, to the Acting Secretary to the Board of Revenue, dated 28th September 1865, No. 205 :—

1. Mr. Charles Sanderson of Coonoor, having paid the extra proportionate price on the excess area found in the lot granted to him, as ruled in the Board's Proceedings of the 23rd June 1865, No. 3,488, I have the honor to forward a Title Deed, in duplicate, for his land with plan attached, and to request that the same may be returned to me, with the seal of Government affixed.

2. The circumstances connected with this grant have been so fully explained in my letter of the 3rd June 1865, No. 102, that I need hardly enter into any details in regard to it.

3. As the land was not sold by public auction, the Title Deed has been drawn out in the modified form furnished by Government with their Proceedings of the 2nd May 1864, No. 763.

Enclosure No. 1.—Title Deed in duplicate.

1. Resolved that the foregoing papers, with the Title Deed in duplicate, received with the Collector's last letter, be submitted to Government, with the Board's recommendation that the Title Deed be sealed and returned, in accordance with Rule 5 of the "Subsidiary instructions relating to the sale of assessed waste "on the Neilgherries, Shervaroys, and in the Wynaad," recorded in the Government Order, dated 6th July 1863, No. 1,208.

2. The Board were not furnished with a copy of the modified form forwarded by Government direct to the Collector with their Order, dated 2nd May 1864, No. 763, which form, he states, he has now adopted; but the alterations made in the present Deed are suited to the circumstances under which Mr. Sanderson obtained possession of the property in question, and the Board believe the form to be correct.

No. 174. Order thereon, 13th November 1865, No. 2,756.

Miscellaneous.

Ordered that the Deeds be sealed and returned.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Board of Revenue, with Deed in duplicate.

Exd. S. T. Augustin.

No. 3,488.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 23rd June 1865.

Read the following letter from P. GRANT, Esq., Collector of Coimbatore, to R. A. DALYELL, Esq, Acting Secretary to the Board of Revenue, dated Ootacamund, 3rd June 1865, No. 102 :—

1. In their Proceedings of the 28th May 1863, No. 922, Government sanctioned a special grant to Mr. Charles Sanderson of Coonoor of one hundred acres of land, on condition that he was "to hold it on payment of the annual assessment for five years, at the end of which period he "would be allowed the option of purchasing it on paying the average price which such land fetches ; "the price, in order to avoid future disputes, being now settled, and being independent of the "annual assessment." Mr. Sanderson was further allowed the liberty of throwing up the land either at the end of the five years, or previously, if his experiment proved unsuccessful. He accordingly took possession of the land in August 1863, and in January 1864 he expressed his wish to purchase the land. After some discussion and correspondence, the average price was fixed at Rupees 19-2-2 per acre—vide Government Order, dated 21st April 1864, No. 685. At this rate, Mr. Sanderson paid Rupees 1,913-8-0 for the one hundred acres in June 1864, and a receipt was granted to him, in which it was distinctly stated that a title deed will be issued to him on the completion of the demarcation and survey ; that if the result of the survey shows any difference in the area of land, he will have to abide by the decision which may be passed in regard to any excess which may be found in the lot, and that on the other hand if the area of the land prove to be less than one hundred acres, a rateable reduction will be made in the purchase money. Mr. Sanderson being a Professional Engineer, undertook to make the survey himself, and prepared a plan, the correctness of which has been tested by the late Government Surveyor, Mr. Howard. It was lately forwarded to my Office. The area of land therein shown is Acres 115, Roods 3, or Acres 15 and Roods 3 in excess of the original grant. I wrote to Mr. Sanderson to say that he will have to pay the proportionate price for the extra quantity. In reply, he states that "the "available land at Vellannee for cultivation is only one hundred acres, the surplus 15 Acres and "3 Roods being absorbed with streams, rocks, and public roads," and that "the streams being "conserved by Government could hardly be charged as land, nor could they bear an assessment." Copy of correspondence between myself and Mr. Sanderson on the subject is forwarded together with the plan* of the land, and I request to be favored with the Board's orders as to whether, under the circumstances represented, the extra quantity is liable to the payment of a proportionate price and annual assessment, or whether it should be exempted from any payment as being useless to the purchaser. I have visited the land, and consider that the 15¾ acres are for the most part composed of beds of streams and public roads ; the quantity of rock being limited. In some of the old Coffee plantations on the Hills, such portion of the area as is occupied by large quantity of rock has been exempted from the payment of assessment, but in the sales of lands under the new rules such indulgence is not allowed. On the contrary, the purchaser is required to pay for the whole extent of the land. The Board will observe from the plan that the block sold to Mr. Sanderson is not in that compact form prescribed in the Government Order of 15th November 1864, No. 2,092 ; but the grant was made fourteen months prior to the receipt of the above Order, and this circumstance will account for the deviation from the rules. As the land should be assessed for the current Fasli, and a title deed issued to Mr. Sanderson. I request early orders.

* Sent by bunghy.

ENCLOSURE No. 1.

From P. GRANT, Esq., Collector of Coimbatore, to C. SANDERSON, Esq., of Coonoor, dated Ootacamund, 22nd May 1865, No. 201.

1. I have received your letter of the 17th instant, with the attested plan of your Vellanee property.

2. In reply, I beg to inform you that the extent of land entered in the plan is Acres 115 Roods 3, or Acres 15 Roods 3 over and above the 100 Acres granted to you according to Government Order of the 28th May 1863, No. 922, for which a sum of Rupees 1,913-8-8 was paid by you at the rate of 19-2-2 per acre, as per receipt granted by me on the 14th June 1864. At the same rate you have now to pay Rupees 301-6-2 for the excess quantity of land now found in the lot by survey, which I request may be paid into the Tahsildar's Treasury at Ootacamund, and his receipt forwarded to me. On receipt of this and the duplicate plans alluded to in your letter, which I request may be forwarded to me as early as possible, I shall be prepared to forward the Title Deeds of the property for the Seal of Government.

From C. SANDERSON, Esq., to P. GRANT, Esq., Collector of Coimbatore, dated Coonoor, 24th May 1865.

1. With reference to paragraph 2 of your letter received this day, and dated 22nd instant, I beg to observe that the available land at Vellanee for cultivation is only 100 Acres, the surplus 15 Acres and 3 Roods being absorbed with streams, rocks and public roads.

2. The streams being conserved by Government, could hardly be charged as land, nor could they bear an assessment; but on this point, and in reference also to rock and public roads, I shall be glad to have your opinion, when I will communicate with Messrs. Arbuthnot and Co., who paid the purchase money themselves for the 100 Acres.

(True Copies.)

(Signed) P. GRANT,
Collector.

The Board are of opinion that under Rule XIV. of the Neilgherry Waste Land Rules, the assessment is claimable for on the whole acreage of the lot. The same rule will of course apply to the purchase money. Had Mr. Sanderson continued his experiment in the production of fibres, the case might have been viewed differently, as the intention doubtless was to grant him 100 acres of grass land for the experiment.

(True Copies and Extract.)

(Signed) R. A. DALYELL,
Acting Secretary.

To P. Grant, Esq., Collector of Coimbatore,
with a Plan returned.

Exd. R. H. Lee.

Stating that assessment is claimable under Rule XIV of Neilgherry waste land Rules, for whole acreage of land purchased by Mr Sanderson, and that same rule applies to purchase money.

Dated 23rd June 1865.

No. 3,488.

PROCEEDINGS OF THE BOARD OF REVENUE,

No.

1865. Department

0 3

No. 7,082.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 4th November 1865.

Read Board's Proceedings, dated 23rd June 1865, No. 3,488.

Read also the following letter from P. GRANT, Esq., Collector of Coimbatore, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated 28th September 1865, No. 205:—

1. Mr. Charles Sanderson of Conoor, having paid the extra proportionate price on the excess area found in the lot granted to him, as ruled in the Board's Proceedings of the 23rd June 1865, No. 3,488, I have the honor to forward a Title Deed, in duplicate, for his land with plan attached, and to request that the same may be returned to me, with the seal of Government affixed.

2. The circumstances connected with this grant have been so fully explained in my letter of the 3rd June 1865, No. 102, that I need hardly enter into any details in regard to it.

3. As the land was not sold by public auction, the Title Deed has been drawn out in the modified form furnished by Government with their Proceedings of the 2nd May 1864, No. 763.

ENCLOSURE No. 1.—Title Deed in duplicate.

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1. Resolved that the foregoing papers, with the Title Deed in duplicate, received with the Collector's last letter, be submitted to Government, with the Board's recommendation that the Title Deed be sealed and returned, in accordance with Rule 5 of the "Subsidiary instructions "relating to the sale of assessed waste on the Neilgherries, Shervaroys, and in the Wynaad," recorded in the Government Order, dated 6th July 1863, No. 1,208.

2. The Board were not furnished with a copy of the modified form forwarded by Government direct to the Collector with their Order, dated 2nd May 1864, No. 763, which form, he states, he has now adopted; but the alterations made in the present Deed are suited to the circumstances under which Mr. Sanderson obtained possession of the property in question, and the Board believe the form to be correct.

(A true Copy and Extract.)

R A Dalyell

Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.,
with Board's Proceedings, 23rd June 1865, No. 3,488, and Deed in duplicate.

Copy to P. Grant, Esq., Collector of Coimbatore.

Exd. J. Wright.

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with a Plan returned.

Exd. R. H. Lee.

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Dated 23rd June 1865.

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PROCEEDINGS OF THE BOARD OF REVENUE,

No.

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(A true Copy and Extract.)

R A Dalyell

Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.,
with Board's Proceedings, 23rd June 1865, No. 3,488, and Deed in duplicate.

Copy to P. Grant, Esq., Collector of Coimbatore.

Exd. J. Wright.

Rev = 1865. Departmer
Rs. of Govt for a year.

No. 3200-

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 4th November 1865.

No. 7,082.

Submitting for the seal of Government Ti
Deed for certain land granted to Mr. Sanders
of Conoor, Coimbatore district ; and observi
that the Board have not been furnished with
copy of the modified form of Title Deed fo
warded by Government to the Collector.

No 2756-13 Room

With order

No 1734/74.

No. 2755.

13th Room 65.