M.R.O. 14—5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1715 Press Mis.

Dated 20-7- 1866.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
10th July 1866.

No. 217. Read the following Proceedings of the Madras Government in the Legislative Department :—

Passing orders on papers from the Collector of Malabar relating to the Cross Roads Act. } (Here enter 3rd July 1866, No. 208,)

No. 213. ORDER THEREON, 10th July 1866, No. 1,715.

Miscellaneous.

Communicated to the Revenue Board.

(True Extract.)

(Signed) J. GROSE,

Under Secretary to Government.

To the Board of Revenue, with Proceedings Legislative Department, No. 208.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Legislative Department,
3rd July 1866.

Read the following papers:—

No. 1. From G. A. BALLARD, Esq., Collector of Malabar, to the Secretary to Government, Legislative Department, Fort Saint George; dated Calicut, 4th June 1866, No. 73.

In continuation of my letter to your address of the 8th August last, No. 102, I have the honor to submit copy of a letter to my address from Secretary to the Planters' Association North Wynaad on the revised Bill.

Dated 12th May 1866, sent in original.

I addressed the Associations of South and South-East Wynaad, but have received no reply as yet, and am unwilling to delay addressing you longer.

I hoped to have submitted statements giving the information called for in your letter, dated 6th March last, No. 130; but owing to the almost complete collapse of the Deputy Collector's and Tahsildar's Establishments from sickness, I only received some necessary statements a few days ago; and they were found so inaccurate that I have returned them for revision. Whatever the details of the returns may be, however, they cannot affect the points I beg prominently to notice in this letter.

2. Some important alterations have been made in the Revised Bill on the original Draft Bill; but I regret to see that, even as it now stands, the Bill entirely fails to recognize the simple and most important principle—the only principle on which, as it seems to me, such a measure can equitably work—viz., that those who desire and mainly benefit by the Bill should have power to assess their own property, but should not have power to assess the property of a mass of petty cultivators, who neither desire the introduction of such a Bill, nor will have any voice in the distribution of funds raised under its provisions.

Vide Collector to Secretary to Legislative Council, dated 8th August 1865, and Collector's Memorandum, dated 8th idem.

3. I would respectfully beg attention to my former remarks on this subject.

The special legislation proposed is undoubtedly and directly on account of, and to further, the interests of a particular class, viz., the Coffee planters.

It is most desirable that a body of enterprizing and intelligent men should have power to assess themselves, and their properties, for their general weal.

But it is neither desirable, nor just, that these men, whose interests do diverge widely from those of the ordinary cultivators, should be entrusted with the power, not only to assess themselves, but to assess a number of petty cultivators, as just said, who have in many respects diverging interests, and who, moreover, have neither voice nor vote regarding the application of the Bill to their locality, nor regarding the method of raising funds under it, nor the employment of the funds that are raised.

4. In fact, if the Bill, as it now stands, is passed, it will be inoperative, or it will be unfair. If the number of rice cultivators qualified to vote in any locality is sufficient to carry the day, I venture to say that the Bill will never be introduced there.

If the rice cultivators are few, or, as probably will be more generally the case, though numerous enough, not qualified to vote, then, I respectfully maintain, the action of the Bill, when introduced, will be unfair.

5. I would therefore again submit, for consideration, whether the most, nay only, equitable arrangement is not what I before proposed, or something similar, viz., to prescribe what are to be considered "Estates" for the purposes of the Act, and give "proprietors" power to assess themselves and themselves only, excepting in so far as the levy of tolls on their communications enable them to obtain assistance from the public.

6. Where roads were opened that seemed conducive to the public benefit, it would be, of course, open to the Collector to allot grants-in-aid from the general District Funds—surely a more natural way of contributing assistance than by placing the public under assessment by a class.

7. I am directed in the letter from the Secretary to Government, Legislative Department, dated 6th March last, No. 130, to obtain the opinion of the Planters' Associations, "especially with reference to the expediency of including rice lands in the proposed taxation;" but if the Government, whose province especially it is to guard the interest of all, prepares a measure, and lays it before a class for consideration, is it to be expected that that class will object to have a large extent of property subjected to assessment mainly for the class' interests, and so lighten the burden that would otherwise fall on its own property only? Under such circumstances, the most conscientious Planter could hardly be blamed for observing that if Government saw fit to assess rice cultivation towards Coffee roads, it was not for him to object. The only reply received from the Planters does not see why rice land should be exempted from taxation. The Planters may not see the complications that may arise from the compulsory inclusion of rice cultivation; but it should not be left to their decision. The Board of Revenue have expressed their opinion that the ordinary Ryots should be exempted from the operation of the Bill under notice.

8. Very lately, I had much of addressing the Board on the introduction of the District Road Cess into Malabar. I see no objection whatever to the application of this Law to the ordinary cultivation of Wynaad; but its operation* would not be sufficiently active to meet the more extended wants of the Coffee planters. I, therefore, think specific provision for their wants should be made by the passing of an Act such as I have already ventured to discuss in some detail. Cess, under the ordinary Act (No. VIII of 1866, *Madras*), should be levied from all who do not come under the provisions of the Special Act. But the Special Act should only affect those whose special requirements render its enactment necessary, and they are the coffee planters and holders of land suitable for coffee or such like cultivations.

From the Honorary Secretary, "Planters' Association of North Wynaad," to the Collector of Malabar, Calicut; dated Manantoddy, 12th May 1866.

I have had the honor to receive your *letter, No. 1392*, of 27th ultimo, requesting an early expression of opinion on the Cross Roads Bill.

2. It has not been possible to consider this Bill in Committee, in consequence of the absence of Members from Wynaad; but I have learnt the views of the Planters' Association generally, and now proceed to communicate them to you, for the information of Government.

No. 3. STATEMENT showing the number of holdings of Coffee Lands in Wynaad, in Fasli 1275.

	Number of Amshoms.	From 5 to 10 Acres.		From 10 to 50 Acres.		Above 50 Acres.		Total.	
		Number of Ryots.	Extent.	Number of Ryots.	Extent.	Number of Ryots.	Extent.	Number of Ryots.	Extent.
North-West Wynaad.	7	28	226	43	912	20	3,926	91	5,064
South Wynaad... ...	5	22	169	34	765	20	4,821	76	5,755
East Wynaad...	4	8	61	24	446	21	4,217	53	4,724
Total...	16	58	456	101	2,123	61	12,964	220	15,543

MALABAR COLLECTOR'S OFFICE,
CALICUT, *26th June* 1866.

(Signed) E. N. OVERBURY, *Assistant, for Collector, absent in the District.*

To the Acting Secretary to Government, Legislative Department, Fort Saint George, with reference to his Memorandum, dated 20th instant, No. 199.

No. 4. ORDER THEREON, 3rd July 1866, No. 208.

Ordered that the foregoing papers be forwarded for the consideration of the Select Committee appointed to report on the Bill "to enable landholders in certain localities to make provision for the construction, repair, and maintenance of Cross Roads in the District in which their lands are situated," in continuation of Proceedings, No. 187, dated 31st May 1866. It is observed that the letter of the Collector of Malabar recorded above, is, with the exception of the first and last paragraphs thereof, identical with that addressed by Mr. Ballard to the Board of Revenue, under date the 14th March last, and recorded in the Proceedings just quoted.

2. The attention of the Select Committee will be requested to Section 27 of the Bill, in order that the dates, specified therein, of the commencement and termination of the official year, the period which it is intended the accounts of the Road Commissioners should embrace, and which, since the Bill was amended, has been ordered by the Government of India to be reckoned from 1st April to 31st March, may be altered accordingly.

(True Extract).

Acting Assistant Secretary to Government, Legislative Department.

To the Honorable Sir T. Pycroft, K. C. S. I.,
" " A. J. Arbuthnot,
" " C. Pelly,
" " A. F. Brown,
" Revenue Department, for information

Exd. J. H. Burns.

3. The principle of the Bill is entirely approved*, and if applied fairly and impartially, as between Europeans and Natives, it will do a vast deal of good in opening up the country.

* By Planters.

4. But, a difficulty, which is not solved by the provisions of the Bill, will be to determine the area liable to be taxed for the construction of any proposed Cross Road.

5. It seems obvious that land having a frontage, or in close proximity to the road, should pay heavier tax, than land less advantageously situated.

6. I cannot speak regarding the proposal for voting, without seeing the Schedule, to be annexed to the Act.

7. With reference to your letter, No. 919, of the 14th March 1866, I have to state that the Association see no just reason why rice lands should be excluded form taxation, seeing that it is proposed to assess uncultivated forest.

8. Moreover the paddy fields of Wynaad are mostly held by wealthy Nairs, and other Natives, possessing forest land, and, often, Coffee gardens, besides.

9. As it is proposed to give a vote for five acres of cultivated land, and to limit the number to 10 votes, in the case of a large holding, I see no reason why Natives should be supposed to have no voice in the conduct of affairs. It seems very possible they may possess a majority of votes, and thus be able to declare for, or against, a Road District, and elect their own Officers, if they see fit. Planters have no objection to this.

10. With reference to your letter, No. 1151, of the 5th April, I beg to observe that the Planters' Association have memorialized Government, on the subject of the Coorg road, praying that it may be made an Imperial road, and until the reply of Government is received, I am unable to say what sum might be raised privately, for its construction as a District Road.

11. Should the views of the Committee differ from any that I have expressed in this letter regarding the Cross Roads Act, I shall have the honor to communicate with you again.

No. 2. STATEMENT showing the number of Holdings of Rice Lands in Wynaad, in Fasli 1275.

	No. of Amshoms	From 5 to 10 Acres.		From 10 to 50 Acres.		Above 50 Acres.		Total.	
		Number of Ryots.	Extent.	Number of Ryots.	Extent.	Number of Ryots.	Extent.	Number of Ryots.	Extent.
North-West Wynaad.	7	249	2,120	392	8,464	17	1,135	658	11,719
South Wynaad.....	5	209	1,856	377	8,881	36	3,080	622	13,817
East Wynaad.....	4	120	833	319	7,953	9	867	448	9,653
Total...	16	578	4,809	1,088	25,298	62	5,082	1,728	35,189

MALABAR COLLECTOR'S OFFICE,
CALICUT, 26th *June* 1866.

(Signed) E. N. OVERBURY, *Assistant,*
for Collector, absent in the District.

To the Acting Secretary to Government, Legislative Department, Fort Saint George,
with reference to his Memorandum, dated 20th instant, No. 199.

Government of Fort Saint George

LEGISLATIVE DEPARTMENT.

PAPERS

(No. 4.)

RELATIVE TO

The Bill to enable land-holders in certain localities to make provision for the construction, repair, and maintenance of cross-roads in the District in which their lands are situated.

	Page.
Letter from the Collector of Malabar, dated 4th June 1866, No. 73	1
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Order of Government in the Legislative Department, dated 3rd July 1866, No. 208	*ib.*

Revenue 1866. Dep.t
Pr. of Govt. for July
" 29. 2008.
Proceedings of the
Madras Govt. in
the Legislative
Department —

Dated 3d. July,
Received 7th " 1866.

No. 208.

Paying orders on papers from the
Collector of Malabar, relating to the
Cross Roads Act.

No. 217-218

No. 215 - 10 July

With order