

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. *2533*

Press

~~Mis~~

138-140

Dated *8th September 1918*

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
8th September 1869.*

Read the following:—

No. 133. Proceedings of the Board of Revenue, dated 19th July 1869,
No. 5,130:—

Read the following letter from the Commissioner of the Neilgherries, to the
Acting Secretary to the Board of Revenue, dated Ootacamund, 7th
December 1868, No. 81.

I am to forward a letter from Mr. Phillips, in reply to my demand for an
instalment of his arrears, in accordance with Government Order, dated 7th Nov-
ember 1868, No. 2,807.

2. In furtherance of his claim for remission, he submits a second appeal,
which I regret that I am unable to support.

3. His case does not seem to me to differ from that of all others who pur-
chased land previous to survey, under Government Order, dated 28th February
1863, No. 430, relaxing Clause V. of the Waste Land Rules.

4. The Clause was relaxed, it seems to me entirely in the interest of *bona-fide*
planters and expressly to allow of their getting into possession without the loss of
a single season. That an annual assessment was to be charged at certain rates
from date of sale subject to revision when the survey furnished the true areas, was
advertised and publicly notified at the time of sale. All purchasers must have
known that a title-deed could not be given without a survey, and that a survey
under the circumstances would take a considerable time. That the delay has been
greater than Mr. Phillips anticipated, however much to be regretted, does not seem
to me to alter the case. No period was fixed for the completion of the survey, the
necessity for relaxing Clause V. arose out of the want of Surveyors: this being so
if any body bought to sell again in a year or two, he did so at his own risk.

5. Mr. Phillips does not appear to me to have incurred pecuniary loss. All
that he can say is, that for want of title-deeds he lost an opportunity of selling
(perhaps favorably) certain lands of which he would not have had possession at all,
had the Government not relaxed a rule in order to give him possession without the
least delay.

6. Considering the amount to which the arrears have been allowed to accu-
mulate, I think Mr. Phillips is quite entitled to the time given him, but I regret
that I cannot see that he has made out any case for remission.

Encl. No. 1.

From L. F. PHILLIPS, Esq., to the Commissioner of the Neilgherries, dated Warbrickan, near
Kotaghatti, 3rd December 1868.

1. I have the honor to acknowledge your letter of the 10th of November, enclosing answers from
the Revenue Board and Government, in reference to the remission of arrears of your rent, about
which I wrote in May last.

2. I observed the Government do not concur in the view taken by the Board of Revenue, and
decline to assent to their recommendation, that a moiety of the arrears of your rent should be
remitted. And that they do not find from the papers that Mr. Phillips has established the fact
of having sustained pecuniary loss by the delay in the issue of his title-deeds, as stated by
him in his letter of the 1st of August 1868.

*Proceedings of the Madras Government, Revenue Department,
8th September 1869.*

3. In reply to the above statement, I beg for the privilege of placing a few additional facts before the Revenue Board and the Government, to show that I *have* sustained both pecuniary loss and great inconvenience, through non-receipt of the title-deeds and plans of my land.

FOURTH PLACE

4. About eighteen months ago, (after my return to India) I authorized an Agent in England to effect a sale of my estate. I tried in vain, at first, time to obtain the deeds and plans of my property, as I felt sure that no sale would be effected without the title deeds. I had, however, to content myself with merely giving my Agent a description of the land. My estate was then advertised for sale in the *Times* Newspaper, and two applicants at once replied, asking if they could see the title deeds and plans of the property.

10. In these inquiries, my Agent gave what information he could, but was obliged to tell them that he had no affidavits or plans or maps to show, in fact, that though I had paid in full

On these properties some years before, I had
 nothing to show my right and title to them.

These applicants (though apparently eager to purchase) apparently enough declined to act on these terms, and consequently no sale was effected. Moreover, neither A nor I could sell these applicants the exact acreage of any land, for it was only within the commencement of the present year 1923, that I received these title deeds and plans, and learnt from them how much land I possessed.

Q. Again, through not being in possession of my title-deeds, I have been barred from conveying transactions on my property. Moreover, owing to the frequent change of officers in charge of the courts in Ootacamund, I have suffered considerably. To quote an instance --

7. At 10 AM, I went to the church and saw Konrad's property, prior to survey, and found a study table, a chair, and a desk, but no papers. My impression being that Konrad had only the money in his pocket, was that his father, who did not like him, was a poor, wicked man, and I promised to be prepared to report the circumstances, and give my conclusion as to the accident.

8. The investigation, however, shortly afterwards left the city, and several officers have since appeared here. They of course knew nothing of the matter, and I got no address, nor family information, and have had to be lost.

8. The defendant and Mr. Maitland (paragraph 6 of Mr. Bhopal's letter dated 19th of June 1968) were in fact in possession of the property from the date December 3rd 1968, reported by the State of the property, although purchased and paid for *in full* in November 1965. Both defendant and Maitland made a 25% and promised to hand over the title deed within a month. The defendant gave up the payment of the then Government officers that the State would be made a defendant.

[illegible]

132. The Commission has been informed that the Government of the Republic of Moldova has not yet implemented the recommendations of the Commission's report of 2007. The Commission has been informed that the Government of the Republic of Moldova has not yet implemented the recommendations of the Commission's report of 2007. The Commission has been informed that the Government of the Republic of Moldova has not yet implemented the recommendations of the Commission's report of 2007. The Commission has been informed that the Government of the Republic of Moldova has not yet implemented the recommendations of the Commission's report of 2007.

Figure 1 shows the estimated coefficients of the model with the log of the number of employees as the dependent variable. The first column shows the results for the full sample, the second column shows the results for the subsample of firms with 10 or more employees, and the third column shows the results for the subsample of firms with 50 or more employees. The first row shows the results for the full sample, the second row shows the results for the subsample of firms with 10 or more employees, and the third row shows the results for the subsample of firms with 50 or more employees. The first column shows the results for the full sample, the second column shows the results for the subsample of firms with 10 or more employees, and the third column shows the results for the subsample of firms with 50 or more employees. The first row shows the results for the full sample, the second row shows the results for the subsample of firms with 10 or more employees, and the third row shows the results for the subsample of firms with 50 or more employees.

*Proceedings of the Madras Government, Revenue Department,
8th September 1869.*

12. In conclusion, I wish to state that I have no reason to complain of the way in which these matters are managed *at present* on these bills, as I am aware that Mr. Russell has done his best to procure these deeds for me; the delay, however, (as I am told) is *entirely* at the *Secretary's* office, and *not* at Ootacamund.

13. Requesting that you will kindly send an my letter to the Board of Revenue, with your favorable recommendation.

Read also letter from the Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ottacamund, 10th April 1863, No. 47.

I need to draw your attention to my letter, dated 7th December 1808, No. 34, forwarding a further appeal from Mr. Phillips regarding the arrears due by him.

2. The amount is large and swells the arrear list of my office. I should like to be informed if I am to suspend collection until his further appeal has been disposed of.

In this letter the Commissioner of the Northern Districts submits, with reference to Government Order, dated 7th November 1868, No. 2507, a letter from Mr. R. F. Phillips, Tea and Chinchona Planter in Kodanand District, in which he prays for reconsideration of that order, and submits additional facts to show that he has sustained both pecuniary loss and great inconvenience from not having received the title-deeds and plans of his land; and he gives two instances in which buyers in England were deterred from entering into negotiations, because they were not title-deeds; and because he could not state the exact acreage. He states that "now the great depreciation in the value of all property in these hills, utterly prevents my effecting a sale."

2. In submitting this letter, the Commissioner does not support the plea for entire remission. He considers that the relaxation of the Rule V of the Waste Land Rules, was in the interest of planters, and that the remissions were understood on both sides; that, however, the rule is to be regretted, if not altered, the case for remission was fixed for the completion of the survey, and that all Mr. Phillips can argue is, that he lost the opportunity of selling land at which he would not have had possession if the rule had been relaxed, so as to give him possession before survey. The Government cannot consider that having regard to the time which the demand has been allowed to run, and to the consideration shown by Government in acquiescing

[illegible]

that Negligent Ten Plantations have been ruined by an ill-timed and sudden run on capital and credit under such circumstances; and great care and consideration are required in dealing with such a debtor, or ruin is inevitable; although in a year or two the investment may yield a fair return and pay a reasonable quit-rent with

[illegible]

The following table shows the number of persons employed in the manufacturing industry in the United Kingdom, by sex and age group, in 1951 and 1952. The figures are in thousands.

Age Group	1951		1952	
	Male	Female	Male	Female
Under 15	1,200	1,100	1,250	1,150
15-24	2,500	2,300	2,600	2,400
25-34	3,800	3,500	3,900	3,600
35-44	4,200	3,800	4,300	3,900
45-54	4,500	4,000	4,600	4,100
55-64	4,800	4,200	4,900	4,300
65 and over	5,000	4,400	5,100	4,500
Total	26,000	24,300	26,650	24,950

Source: Census of the Population of Great Britain, 1951 and 1952.

No. 139. Proceedings of the Board of Revenue, dated 28th July 1869, No. 5,515.
Read the following letter from J. W. BREEKS, Esq., Commissioner of the
 Neilgherry Hills, to the Acting Secretary to the Board of Revenue, dated
 Ootacamund, 16th June 1869, No. 82.

I HAVE the honour to forward a petition from Captain Richardson, complaining of the publicity given to an attachment of his Coffee Estate at Scegoor in the recovery of arrears of revenue due upon it, and praying that the demand for assessment, current and arrears, on the property may be remitted by Government.

2. The circumstances of the land concerned, and remissions granted thereupon, are set forth in the correspondence embodied in Government Proceeding of 27th October last, No. 448. According to instructions therein conveyed, I adjusted Captain Richardson's accounts, and in a letter, dated 12th November last, called upon him for payment of the balance due, amounting to Rupees 91-8-0. Captain Richardson did not respond to this nor to two letters on the same subject subsequently addressed to him. On the 16th March 1869, I issued a Notice of Demand and delayed following it up with attachment until 10th May, or nearly two months later, to allow Captain Richardson every opportunity of effecting a sale of the estate which he stated he was then negotiating.

3. The Notice of Attachment must now be followed by one of sale according to Act II. of 1864, which will be held in abeyance pending the result of this reference.

4. The publication of the Attachment Notice in the *District Gazette* is in accordance with Section 22 of the ~~Land~~ Recovery Act; the interval between issuing the necessary processes will indicate that every appearance of hardship has been scrupulously avoided in this case.

3. As regards Captain Richardson's statement that other parties in arrears for longer periods and larger sums have not been proceeded against, I have only to refer the Board to the Proceedings noted in the margin, the cases therein disposed of having been named by Captain Richardson, in a personal interview, as the ones referred to by him.

6. As the petition now sent does not profess to set forth any fresh matter from that already advanced in Proceedings quoted in paragraph 2 of this letter, I have no proposals to advance or support.

Enclosure No. 1 (Continued)

Submitted for the consideration and orders of Government.

2. In the petition forwarded with Mr. Ince's letter, Captain Richardson prays for remission of an arrear of quit-rent due on his Coffee Estate, amounting to Rupees 31.50, and also for remission of the demands (amount not stated) for the master's fee.

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3. The petitioner pleads that the produce of 100 acres has been entirely destroyed by the "Borer," and that he finds himself completely ruined.

4. He also states that the public announcement in the *Gazette* of the attachment of his property (for the arrear) has brought down upon him creditors whose claims he cannot meet.

5. The Commissioner has deferred the sale of the property pending the result of this reference.

6. The Board observe that there is no doubt, many of these estates are at present in a most dilapidated condition, and that to force them now into the market when land is unsaleable, will be to precipitate ruin.

7. They would therefore, in view of all the circumstances of the case, strongly recommend that Government grant the remission prayed for by Captain Richardson.

No. 140.

ORDER THEREON, 8th September 1869, No. 2,533.

Land Revenue.

THE Government sanction the suspension of the collection of the arrears of quit-rent due by Captain

Richardson and Mr. Phillips, pending the Board's reply to the G. O., under date the 7th instant, No. 2,526.

(True Extract.)

(Signed) R. A. DALYELL.

Acting Secretary to Government.

To the Board of Revenue.

By E. C. S. S. S.

No 2450 & 2509 for order

The Board of Revenue
re-submit the case of
Mr Phillips of the Redding
Holes again, recommending
a remission of the amount
of quit rent due by him.

They also recommended
that the amount due
by Captain Richardson
in his Lepora estate, as
adjusted in the G. O.
under date 27 Oct 68 1894
may be remitted.

The Board make
these recommendations
on the ground of the
severe depression

I think: they seem?
reason of the collection of
as para 5 Bds pros;
and

I accept the
of the Board
reference to Mr.
for forwarding
the case of arrears
with reference to
Richardson's case
and remit
together

Oct. 31 1869

REVENUE.

THE BOARD OF REVENUE.

Printed September, 1868

G. O. No. 308 September 1869 No. 2509

SEPTEMBER

No. 138-140

As Phillips and Captain Richardson's
land in the Redding Holes is situated in the
rental area and is to be suspended, pending the
Board's reply to the G. O. relating to assessment
of land liable under Waste Land Rules in W. 1868

which the Planting interests
have maintained during
the past few years.

In the first proceedings,
they apparently question
the policy of the waste
land rules and
exciting discussion
a re-consideration of
the whole question.

The rules which passed
in these papers will
doubtless much depend
upon the views taken
by each of the proposals.
Now before them is
regard to the waste
land rules,

+ there have been kept
me + shown what that
new way be.
W.C.

assuming that the 40, 12 or 15
of 12 or 15 is very bad a return
after all.
W.C.

But there is little doubt
that the depressed con-
dition of all land
speculations all over
the Presidency is owing
to the "mania" for coffee
planting which was very
general some six years
back, and which induced
a large number of persons
without sufficient capital
to embark on speculation
of this description. The
returns after the 5th year
were confidently believed
to be 30, 40 & 50 percent
whereas in fact few coffee
plantations yield an average
of more than 12 or 15 per-
cent and for this it is
necessary to wait some
years.

W.C.

No. 2589

From

Board of Revenue

Dated 28th July

1869.

FOR ORDERS.

The subject of Mr. Phillips' arrears was disposed of by Govt in an indulgent liberal manner, on the 7th Nov last -

In submitting it to the Govt, the 18th of Dec were not unanimous, Mr. Linn having voted a minute of dissent w^{ch} the Govt received in consideration.

Mr. Linn's views were to allow Mr. Phillips time to pay up arrears. The Board (Messrs Clarke & Robinson) advised the remission of half the sum due. The Govt, adopting Mr. Linn and the Commissioner's view, generally declined to remit, but spread the liquidation of the arrears over five years, three of three, as suggested by the Commissioner.

In the course of present calling for consideration, the Board of Rev., as now constituted, propose the suspension of the payment by Mr. Phillips, of the revenue arrears in question and a review by the Commissioner of the Department of the whole subject of the tenure of lands held by Europeans & others.

This will be a very wide subject and will not be disposed of by the Govt for long to come. Still I see no reason why it should not be treated expeditiously in the

manner suggested by the Court -

But it seems to me that this
question is quite apart from that of
the propriety of Mr. Phillips' personal
debt to the local revenue being or
not being regarded in the ordinary course
of the Court's duties. - I would therefore
be inclined to depart from our order of this
7th Nov. which Mr. Phillips satisfies
by affirming that he is adducing new facts,
whereas only the old ones appear. - The
Court must be satisfied. It is notorious
that on the hills and in the valleys there
is a great deal of planting as a rule before
payment of their tax, beyond all reasonable
limits and the suspension of this system
was one of the results expected from the
abolition of the Millenary of a
Court. - Mr. Phillips seems to have made
no sign of intended payment. - I would let the
revenue law take its course against him.
If the result of the Court's proposed course of
the land rules on the plateau be such as to
show that any time Mr. P. may ultimately
have paid, upon the whole, it will be
very much to make a refund. -
I would not Captain Richardson appear
in the same way.

Presented by

W.D.

FOR ORDERS.

Revenue Department

17-2003

Proceedings of the Madras Government
Under date the 5th ^{Sept} August 1869

Read the following
Proceedings of the Board
of Revenue.

Recommending to
omit to suspend collection
of arrears of quit rent
due on land on which Thomas
Gillingham to Mr. Phillips
and on other lands since
lastly situated, &c. &c.

17 & 19th July 1869

Recommending to
suspend the collection of quit
rent current and arrears
on coffee estates on which
the Government has long since
been established.

17 & 19th July 1869

W. H. M.

The Government
directing the suspension
of the collection
of the arrears of quit

rent due by Captain
Richardson and Mr
Phillips paying the
Board's reply to the
G. O. and in date the
7th instant. \$2526.

In full for the within sum of \$2526

[Signature]