162-2

M.R.O. 1—5,006—16-10-50.

164-10

(1) Number of pages 20

(2) Date of repair 28-8-65

(3) Initials of the Referencer

MADRAS RECORD OFFICE

Government of Madras

Revenue DEPARTMENT

G.O. No. 164 ~~Press~~

~~B.P. No.~~ Mis.

Dated 30.5.1872 195 .

Not to be folded or roughly handled

18, Second Line Beach,
Madras 1st May 1872.

TO

THE CHIEF SECRETARY
TO GOVERNMENT
FORT ST. GEORGE
MADRAS.

SIR,

I have the honor under instructions from Mr. P. H. Gordon of Manantoddy in the Malabar Coast District Planter, to request that you will be pleased to lay before His Excellency the Governor in Council the following facts with the view to Government making me a refund of Tax paid by the said Mr. P. H. Gordon on Waste Land purchased from Government on behalf of his father Mr. P. P. Gordon of London a large portion of which he was obliged to relinquish.

The facts are briefly these, in 1864 Mr. P. H. Gordon purchased certain Waste Lands from Government under the Waste Land Rules, amounting in all to 1769'03 acres which were purchased at Auction and paying tax at the rate of Rupees 2 per acre per annum.

Owing to the bad seasons experienced by the Planters in Wynaad Mr. Gordon was obliged in 1868-69 with many others to stop further cultivation and to request Government through the then Collector Mr. Ballard to permit him to relinquish certain portions of the land so purchased. This relinquishment was granted. From the time of purchase up to the date of relinquishment, Mr Gordon paid Rupees 2 per acre tax on the whole land purchased and since the date of such relinquishment has continued to pay tax on the portions retained, shortly after making a requisition to Government to permit him to relinquish certain portions of the land so purchased as before stated, a Colonel Wooldridge made a similar applications to Government with a further requisition that the tax so paid by him on the relinquished portions might be refunded. Government on the recommendations of Mr. Ballard the Collector granted this concession, I may here add with reference to Colonel Wooldridge, that he relinquished the *whole* of the land bought by him from Government without making any attempt to open out any portion while on the other hand Mr. Gordon used his strenuous endeavours and succeeded in opening out a large portion of what he had so purchased at a very great expense, both in clearing forests and constructing roads which will not only benefit the portions so retained but to a very great extent the portions relinquished

and the remaining jungle in that neighbourhood belonging to Government. In fact I may add, that Mr. GORDON's only reason for relinquishing the land was the immense amount of capital it took him to open out the portions he did and which has given little or no return. Since Colonel WOOLDRIDGE made his application to Government on the subject of refund of tax on the land so given up, Mr. GORDON has also made similar applications both to Collectors BALLARD and HANNYNGTON and in reply received intimations that his case had received consideration and would be recommended to Government for the refund asked for. But having received no sort of information that Government had passed any orders on his application or even that he had been recommended to Government as promised, he did on the 17th of February last address the present Collector Mr. MACGREGOR on the subject, and to which in reply he received annextures **A** and **B**. It is with reference to this reply **A** that I would now address Government who will observe that by the concession they lately made viz. of allowing the land to be held on three years tenure free of tax that Mr. GORDON benefits nothing by such concession on the lands relinquished in 1869-70 and on which he had previously paid several years taxes, and that he will only now benefit by such concession on the lands he still retains by being exempted from any further tax to Fusli 1282, having already paid up to Fusli 1279.

I therefore beg to submit for the generous considerations of Government the annexed statement C shewing the quantity of land purchased by Mr. GORDON and when—the quantity relinquished and when, and the amount of tax paid exclusive of purchase money on such relinquished land, and have to request that Government will be pleased both in consideration of a precedent made in Colonel WOOLDRIDGE's case and with reference to their late order stating that ~~they~~ they intended it to be understood originally that land should be held on a tenure for three years free, after purchase, to order the refund of tax to me paid by Mr. GORDON on the land so relinquished as aforesaid and which Mr. GORDON under the circumstances, considers himself justly entitled to, considering that even then he forfeits the purchase money, no small sum, and not only that, but, it should also be considered that the land so relinquished is greatly improved owing to the construction of roads made by Mr. GORDON and thus far more valuable than when originally purchased by him.

Further I would add that in granting this concession Government only give Mr. GORDON what he would have otherwise been entitled to had the strict letter of the waste land rules been carried into effect at the onset.

Trusting to be favored with an early reply.

I have the honour to be,

Sir,

Your's obediently,

D. Prince

Agent for Mr. P. H. GORDON.

164/2

APPENDIX.

A.

WYNAAD, *Deputy Collector's Office,*

No. 69 MANANTODY, 1*st March*, 1872.

TO

P. H. GORDON, Esq.

Tellicherry.

SIR,

I have the honor with reference to your letter to the Collector dated 17th February last to reply as requested, respecting the relinquishments of portions of lands purchased by you under the waste land rules.

The Collector observes that Mr. HANNYNGTON in a letter to you stated his readiness to recommend the refund of taxes paid on the uncultivated portions, but however he made no such recommendation. Mr. MCGREGOR is not of Mr. HANNYNGTON's opinion and is not prepared to make any such recommendation as to a refund.

As regards the relinquishments the Board have already stated their approval, provided that sketches are supplied indicating the portions proposed to be relinquished, and that these sketches show the blocks to be fairly compact and right of way through portion retained, allowed if necessary.

The Estates being it is believed under attachment it will be necessary to get the consent of the parties in possession, to the relinquishment of any portion.

The Estates in question will benefit more almost than any in Wynaad by the concession lately made by which retrospect is given to the order allowing land to be held free for three years.

There can be no difficulty in your providing sketches of the land to be relinquished as plans of the estate were attached to the title deed made over to you. It is however absolutely necessary that there should be no further delay in supplying this information; until obtained the land does not revert to, or at least is not disposable by the Government to others; and further to prevent dispute hereafter it will be necessary for you to clearly define the boundaries of the lands retained, and such alterations will have to be so entered in your original title deeds as clearly to show what portion of the original purchase remains your property, otherwise I have no alternative but to charge upon the whole waste purchased in arrears.

I forward herewith a list showing the original purchased extent, and what extent you have notified you wish to relinquish, with the present holding of the properties, if you make over the relinquished portions at once. Taxes have been paid by you on the properties up to, Fuslies shown in the list and are exempt to the end of the Fusli shown in column 6.

I request you will endeavour to make an early settlement of these relinquishments. If you will forward plans of the properties, I will endeavour to go over and examine the portions you wish to relinquish, but there would be no use in my doing so before you have cut or properly defined the boundaries of the lands still to be held.

I have the honor to be,

Sir

Your most Obedient Servant.

(Signed) W. E. UNDERWOOD.

Deputy Collector.

B.

Statement of Acreage of land to be retained and relinquished by Mr. P. H. GORDON.

Name of Estate.	Purchased Acreage.	Yearly Tax!			Acreage proposed to be relinquished.	Tax paid up to Fasle.	Exempt from tax for Fasles.	Remarks.
1.	2.	3.			4.	5.	6.	7.
	Acres	Dls.	Rs.	As.	P.			
1. Kakery Mulla	385	50	767	...	...	383	50	1279	1280 to 82	
2. Kaly Rolamboo Mulla	497	83	993	10	7	197	83	1279	Do.	200 Acres relinquished in 68/69 & 100 in 69/70.
3. Valia Chamutty Mulla	381	20	762	6	5	131	20	1279	Do.	250 Acres relinquished in 1869/70.
4. Kodongola Mulla	410	50	821	...	...	160	50	1279	Do.	250 Acres relinquished in 1869/70.
5. Bagoor Googerry Mulla	96	...	192	...	...	96	...	1279	Do.	

WYNAD, *Deputy Collectors Office,*
MANANTODDY, *1st March* 1872.

(Signed) W. E. UNDERWOOD,
Deputy Collector.

967

C.

Statement shewing amount of Refund asked for

Names of Estate.	Acreage. purchased	When purchased.	Acreage relinquished.	Date.	Amount of tax paid on relinquished portion.
Kakery Mulla.	385-50	In 1864	200	In 1870	2400
Kuly Rolamboo Mulla.	497-83	In 1865	300	In 1868-69 200, 69-70 100	3400
Valia Chamutty Mulla.	381-20	In 1865	250	In 1869-70	2500
Kodongola Mulla.	410-50	In 1866	250	In 1869-70	2000
Bagoor Googerry Mulla.	96	In 1866			
	1769		1000		
					Rs. 10,330

Madras 1st May 1872

D H Prince

3/164

MISCELLANEOUS No. 3742 164/A REVENUE DEPARTMENT.

June 1872. A[illegible]

No. 1532.

From

W. S. H. Prince

Agent for W. P. Gordon

of Manantoddy

To

Chief Secretary to Government

Fort St George

Madras

Dated 1st May
Recd: E. 29/5 } 1872
Answd.

Garrison & Spare Copies.

Requesting refund of Duty on Betel Nut purchased & relinquished.

Forwards for dy spare copies to save delay

Will be glad to furnish Govt. with nine spare copies if required on thereby called for.

WSHP

Approved

1 Aug. 72

Respectfully submitted

S. S. 72

Dispatch Letter 6/8/72

Rep 10349

MISCELLANEOUS No. 3742 — 164/a — REVENUE DEPARTMENT.

Nº 1532/72.

Revd 1872 Deport
Nº 1791

From

Mr J. A. Prince
Agent for Mrs Gordon

Dated 23d May 1872
Recd 25th Do —

Submitted for

Regarding the refund of certain taxes in waste lands on behalf of Mr Gordon.

C. 29th May/72 R. 30th May

18 Second Line Beach
Madras 23rd May 1872

164/b

To
The Chief Secretary
to Government
Fort St George
Madras

Sir,

Referring to my letter to you of the 1st inst: anent the refund of certain taxes on waste lands on behalf of Mr. O. A Gordon & in continuation of same I have the honor to call your attention to a letter addressed by the Deputy Collector of Coyam'd d/9th April 1872 No 128 to the District Collector recommending the refund

MISCELLANEOUS No. 3742

REVENUE DEPARTMENT.

Nº 1532/72.

asked for.

May I request you to be good enough to have this matter laid before Govt: at an early date & on proceeding being passed thereon that I be favored with a copy

I am Sir

Your Obedient

H Prince

Agent for the A. H. from

Revenue Dept.

C. 29th May/72 R. 30th May

MISCELLANEOUS No. 3742 16th/4 REVENUE DEPARTMENT.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 23rd May 1872.

Read the following

No. 113.

From A. MacGregor Esquire
Collector of Malabar

To J. Cruse Esquire
Secretary to the Board of Revenue
Madras

SIR,

I have the honor to report on Petition presented on behalf of Mr. H. P. Gordon requesting refund of Rs 10,330 on 1000 acres of Coffee land relinquished.

2 It is true that in one or two Special Cases this indulgence has been granted but it seems very desirable that the mere existence of a precedent should not be held to entail the refund as a matter of course in every case. Had Mr Gordon been a bonâ fide purchaser and planter compelled after a struggle to abandon the Enterprise and had the lands been put to no use at all, I should have been prepared to recommend every consideration being shown but the transaction in respect of this Estate appears to me to have been a purely speculative

five

price of land jobbing such as it is the main object of the waste land Rules to discourage.

3. An area of 1,769 acres was secured or sufficient to open up 10 good sized Estates. The public were thus almost excluded from an Extensive valley and there is little doubt that at this time the purchasers had not Command of Capital to open one quarter of the Extent and the land was held on in the Expectation of a large price being realized from some new-comers. Moreover these large areas were used for the purpose of raising funds from Firms in Madras and London. Mr Gordon betaking himself some years ago to Tellicherry Commenced that System of reckless trading which recoiled in his bankruptcy last year and in widespread ruin to those who had Confided in him.

4. As a rule the late Concession to

to the planting interest does not much benefit Wynad as it affects only purchasers of Government lands. This Estate, however is relieved of assessment for the next three years to the Extent of Rs 2,307 by the late order which is a Consideration which should weigh in the matter. It should be remarked too, that at the time of the precedent of Colonel Coolridge, this Concession had not been made, nor had it at the time when Mr Harrington as Acting Member in August 1871 expressed himself favorable to the application.

5. I think that I have said Enough to shew that the claim is not one that should be Entertained, and will not therefore go into the Complicated question as to the grades to which the relief would go if granted whether to the general Creditors or to the Mortgagees or into the Still more difficult point which

which might arise as to whether Mr Gordon has such a control over these Estates as to empower him to relinquish portions.

6. It will be recollected that it was originally made a condition that a Sketch should be furnished shewing the portions intended to be relinquished, but Mr Gordon has not, as will be seen by the Deputy Collector's letter, up to the present time acceded to this, though if he has the title deeds and Plans there should be no difficulty in the matter.

7. I visited the Estates in November last and consider the soil and situation is far more favorable than that of many Estates which are being successfully cultivated, in fact I should say above the average.

8. I do not understand the observation in the Petition that Government have stated that they originally intended it to be understood that land should be held free for 3 years. I am not aware of any such statement. 164/10

Malabar Collector's Office Calicut 10th May 1872

Thanet &c
(Signed) A. Maclregor
Collector

Submitted to Government with reference to the officiating Chief Secretary's docket dated 1st May 1872.

2. The Board concurs with Mr Maclregor in thinking that the application should be rejected.

(True Copy/Extract)

H E Stokes
Acting Sub Secretary

To The Chief Secretary to Government
Revenue Department
with 1 Enclosure.

C Kunhan
Copied/Minute Book

Income 1872 Oct
No 1799

PROCEEDINGS OF THE BOARD
OF REVENUE.

Dated 23rd May 1872
Despatched 23 " "
Received 25 " "
and Writ to Order
No 164 dated 30th May 1872
SUBJECT.

Submitting Report
of Collr of Malabar
on Petition presented
on behalf of Wm H. P.
Gordon requesting refund
of Rs. 10330 on Coffee
lands relinquished—
Expressing concurrence
with Collr that applica-
tion should be rejected