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# MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.  
B.P. No.

903

Press  
Mis.

Dated 21-7-1874 196—.

Not to be folded or roughly handled

No. 163. Read again the following Proceedings of the Board of Revenue, dated 26th November 1873, No. 2,415.

Read the following letter from Mr. P. J. DIAS, South-East Wynaad, to the Hon. W. HUDLESTON, Chief Secretary to Government, Ootacamund, dated Davallium, 10th October 1873.

*Proceedings of the Magistrate of Malabar,  
dated 13th August 1873.*

READ letter from Mr. P. J. DIAS, Davallium, South-East Wynaad, to the Hon. W. HUDLESTON, Chief Secretary to Government, Fort St. George, dated 25th July 1873.

READ endorsement thereon by the Chief Secretary to Government, dated Ootacamund, 28th July 1873.

ORDER THEREON.

THERE is no definite charge made against any particular individual by Mr. Dias in the aforesaid letter. He simply states in general terms that the Coorumbers, Panniers, &c., of South-East Wynaad, corrupt the waters of the streams throughout the locality. He should lay his complaint before the proper authority in Wynaad under Section 277 or 284 of the Indian Penal Code against any person or persons found committing the act complained of.

(Signed) A. MACGREGOR,  
Magistrate.

From Mr. P. J. DIAS, South-East Wynaad, to A. MACGREGOR, Esq., Magistrate of Malabar.

YOUR Proceedings, dated 13th August 1873, in acknowledging which I respectfully have to note, for your information as well as that of Government, that my letter to the Chief Secretary contains, of course, a general complaint and not an individual one, and had the latter been the case your suggestion would have been the correct procedure; the version being, however, different, I will here revert to my suggestion with little particulars.

2. The pernicious and deleterious practice of corrupting ~~the~~ streams for catching fishes by poison is not a novel one, but has been in vogue from time immemorial, and is carried on with impunity throughout the whole of the Wynaad, including Secang, Pannidoo, &c. Sanitary reform being of the greatest importance and nuisance as that complained of by me, resulting doubtless in imminent risk to public health, ought not to be tolerated, and should be put down by the strong arm of the law, especially as little or no benefit is derived by those following the accursed, a public proclamation or legislative enactment interdicting the evil (within

In forwarding the correspondence as per margin, I beg respectfully, with reference to my letter to you of the 25th July 1873, to solicit the orders of Government thereon.

2. The practice of polluting the water of streams by poison is beyond doubt extremely injurious and deleterious to human constitution, especially so from its being used both for drinking and culinary purposes by the inhabitants of Wynaad, besides the impure water finding its way into the low countries. Notwithstanding this patent fact, yet the Collector of Malabar considers the matter to be of little importance and allows my letter to lie latent in the records of his office.

3. If the practice in question prevailed in Calicut or such like stations, the Collector would have been the first to take early steps for the prevention of the evil. As it is, had the subject been brought forward by any of his subordinates instead of by me, I feel certain that it would have met with his countenance, followed by remedial measures.

4. The Collector knows, and is apprehensive, that his own authority is insufficient to check the evil, much more so through the action of a single and private individual. Wynaad being situated within the limits of the districts of Malabar, Nilgiris, and Mysore, Government Notification is essentially necessary to put down the evil, and I accordingly beg to press the point to the notice of the Government. If my letter above referred to was passed on to the Sanitary Commissioner in preference to the Collector of

Malabar, the former would, without any hesitation, have supported my opinion. I therefore request that Dr. Cornish may be consulted on the subject, which being of vital importance to the planters. They are unanimously of opinion that the nuisance is an alarming corruption and loudly calls for remedy.

5. I have applied to the Collector of Malabar for a statement of the statistical returns of coffee exported from Wynnaul or Malabar to Calicut, but that functionary instead of complying with my request refers me *by memorandum* for such information to the District Gazette, which *he knows* if I had been in receipt of or supplied with, I would not have taken the trouble of writing to him and paying postage as well both on my letter to *him* and his official reply to *me*.

10. In conclusion, regarding the demand in Venezuela radically bearing the fundamental principle of free trade, and in conformity with a report of Government on the subject, in the course, I request that you will be good enough to submit this latter with your proceedings, and reply for the order of His Excellency in Council with especial reference to my communication to the Chief Secretary, dated April 1st, 1854.

Manuscript from A. M. Lomonosov, Hon.  
Chancellor of Moscow, to Mr. F. J. Hall,  
South-East Wyoming Polytechnic College,  
dated September 1873, No. 2, 84.

An answer to his letter dated 22nd instmt. Mr. Hall is informed that there are no returns showing coffee exported from Wharfedale; but that reported from the district of Malabar can be derived from the statistical tables published in the *Quarterly Gazette*.

2. As regards the letter of the 23rd August, Mr. Elias is informed that there is nothing in the way of the collection to which it is necessary to forward 25 Francs.

of I would respectfully take the liberty of suggesting some modifications to the rules for the sale of waste land.

(4) The present rules, though not now before me, provide, as far as I can recollect, for the survey and description of land prior to sale, &c., &c. To this point my opinion is that applicants be required to forward, with their applications, a rough sketch map of the land with a certain sum as deposit money bearing to the proportion of the number of acres applied for, and uniform rate per acre being fixed for the purpose by His Excellency the Governor in Council, to enable the Government to recover

6. While on the subject, I may as well remark that years ago, as long then as our applications for waste land lying undisposed of in the Madras Collector's Office or that of his Deputy, some are dated as far back as 1872, and yet the applicants have not had the land, or any final reply given to them. This question, to say the least of it, is very disparaging to the planters who are anxious to open out plantations in *proper season*, which, when passed, the planters, with disgust, have to wait for another year, and further the delay is detrimental to the Government revenue, which otherwise would have had an increase under the head of "Road-Cess," "Land-tax," &c.

7. To avoid the difficulty complained of, I would respectively take the liberty of

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any expenditure necessary or incurred in view to conducting the sale, such amount being held to be the upset price at which the land is to be sold, of course reimbursing to the depositor his original deposit in case of his failing to obtain the land when put up to auction.

(2.) After the receipt of application as above, the usual Notification to be published in the District Gazette, and a date fixed for the sale which is to take place on the site applied for, when both the applicants or claimants, if any, will be able to identify or oppose their rights, as the case may be; and, indeed, this course is far preferable than that now obtained in describing the land in the Notification, and selling the same at the Collector's Office, which, in most cases, is situated at very considerable distances from the localities of the land.

(3.) On the land being knocked down, the full amount, or, if made payable in three years, the first instalment is to be paid on the spot, when the usual deed of conveyance to suit the circumstance of the case should be drawn up and delivered to the purchasers; thus the work would, in my humble opinion, be accomplished more economically and satisfactorily than the existing rules so far as the points I have raised are concerned.

8. I beg also to solicit early orders of Government on my letter, dated 1st September 1873 and 25th June 1873.

Transferred to the Revenue Department, with reference to paragraphs 3 and 7.

17th October 1873. (Signed) W. HEDLESTON,  
Chief Secretary

OOTACAMUND,  
 24th October 1873.

REFERRED to the Board of Revenue.  
 (Signed) R. A. DALYELL,  
 Acting Secretary to Government.

REMITTED to the Collector of Malabar for report.

(Signed) J. GLOSE,  
Secretary.

6th December 1873.

No. 55.  
London.  
(Signed) D. F. CARMICHAEL.  
Secretary to Government.

Read also the following Proceedings of the Board of Revenue dated 2nd July, 1874, No. 1,855

Read the following letter from A. MACGREGOR, Esq., Collector of Malabar, to  
J. GOSSE, Esq., Secretary to the Board of Revenue, dated Angadipuram,  
22nd May 1874, No. 1270. :—

I HAVE the honour to report as follows on the Board's endorsement, dated 26th November last, No. 2,415, to G. O. 24th October 1873.

*Proceedings of the Madras Government, Revenue Department,  
21st July 1874.*

2. I subjoin a tabular Statement showing in one column the existing rule, in another the proposed amendment, and in a third the objection to the amendment.

3. It will be seen at a glance that none of the proposals can be safely entertained. It is evident that they are made by one having no knowledge whatever of the subject.

4. Under the proposed rules it would be impossible for a purchaser to obtain a valid title to land purchased, and private rights would be in danger of being constantly assailed.

5. The number of applications for land are few, and I do not think that any general feeling exists as to inadequacy of the present means of disposing of them. There are two Associations of Planters, one in North and the other in South Wynnad, and they have not made any representation on the subject. If these applications increase, it may be necessary to apply for a special agency. At present the regular survey which works in Wynnad from October to February undertakes them.

6. I cannot suggest any method by which Government land can be assigned for planting in the same official year as that in which it is applied for.

7. The season during which survey operations are possible in Wynnad terminates before the 1st April, and does not recommence till October.

8. To admit of land being opened in any year, it should be the planters' property not much later than January.

9. The period provided in the rules for advertisement, which could not safely be diminished, is three months. But the survey season is short, and the preparation of the map, and what with the difficulties of the country, the necessity for check in the Deputy Superintendent's Office, etc., it cannot be expected that a survey can be completed, and map furnished in less than two or three months. Hence land can only be available for planting during the season following that on which it is surveyed. It is seldom that intending planters are driven to such urgency, and if so, they must take private land, which constitutes the bulk of land in Wynnad.

10. There are at present twelve applications in this Office, where the land has not yet been put up for sale. Only one of these was presented before the end of the survey season of 1872, and in that case the survey was finished and map ready last August, and the sale is delayed owing to the neglect of the applicant to pay the cost of demarcation and survey.

11. Most of the applicants have unopened land of their own.

*Proceedings of the Madras Government, Revenue Department,  
21st July 1874.*

ENCLOSURE No. 1.

| Existing Rule.                                                                                                                                                                                                                                                           | Proposed amendment.                                                                                                          | Objection to proposed amendment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| V.—No lot shall be sold until it has been surveyed and durable boundary marks have been erected.                                                                                                                                                                         | Lands applied for with rough sketch by applicant should be sold first and demarcated and surveyed afterwards.                | Experience has shown here as elsewhere that there is great danger of embarrassment if land is sold prior to demarcation and survey. In rare and special cases only, the rule should be relaxed. The result of the proposal would be to deprive private parties of the opportunity, in many cases, of bringing forward objections based either on claims to proprietary right or to communal or other interests likely to be injuriously affected. The description would necessarily be vague, and there would have been no demarcation and survey on the spot to call attention at the locality to the natural land proposed to be dealt with. |
| IX.—The Collector shall at his discretion fix the time and place of sale, three clear month's notice being given in Gazette and on the land.                                                                                                                             | All sales of land shall be held on the lands themselves, and not elsewhere.                                                  | The plan proposed would render the simultaneous sale of several lots impossible, and thereby tend to prevent bidders assembling as they might otherwise be expected to do if several lots were put up for sale at some convenient place where accommodation could be obtained in the neighbourhood. There is no reason for supposing that applicants for land are likely to be far from the land.                                                                                                                                                                                                                                              |
| XIV.—If before the time of sale no claim of private proprietorship or of exclusive occupancy or of any other right incompatible with the sale of the land be preferred, the lot shall be put up to auction as advertised, etc.                                           | Claims of proprietorship, etc., should be left to be heard and decided on the day of sale.                                   | This would be rendered almost necessary by the proposed alteration in Rule V. The claims to land in Wynnad involve generally much difficulty. Tulu and Huzar Record-mons have to be run back. If the enquiry were postponed until the day of sale, it would generally be necessary to adjourn the sale. Even if the Deputy Collector had the materials at hand for a decision, he could not be allowed the power of <i>ex parte</i> decision.                                                                                                                                                                                                  |
| The deeds are to be executed in duplicate, and after being properly filled up and signed will be submitted through the Board for the seal of Government. When returned, one copy is to be delivered to the purchaser and the other carefully preserved by the Collector. | The purchase money is to be paid on the spot, the usual deed being prepared then and there and handed over to the purchaser. | In the absence of ascertained area, purchase money could not be adjusted. No accurate plan could be attached. Deeds would be sure to occur in deeds drawn up in the jungle and not submitted to any check. The filled-up deed, even if otherwise good, would be useless, being unregistered, and nothing would therefore be gained by handing it over at once to the purchaser. Finally, the execution by the Deputy Collector would, not according, I believe, to the opinion of the Government Law Officers, supply a defect.                                                                                                                |

Signed) A. MACGREGOR,  
Collector.

*Proceedings of the Madras Government, Revenue Department,  
21st July 1874.*

SUBMITTED to Government with reference to their endorsement, dated 24th October 1873 on a letter from Mr. P. J. Dias, S. E. Wynnad.

2. The Board agree with the Collector that the proposed alterations in the rules for the sale of waste lands, cannot be accepted.

No. 164

ORDER THEREON, 21st July 1874, No. 903.

Miscellaneous.

The Government agree with the Board.

(True Extract.)

(Signed) C. G. MASTER.

Acting Secretary to Government.

No. 2415.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 26th November 1873.

Read the following letter from Mr. P. J. DIAS, South-East Wynaad, to the Hon. W. HUDLESTON, Chief Secretary to Government, Ootacamund, dated Davallium, 19th October 1873.

*Proceedings of the Magistrate of Malabar, dated 13th August 1873.*

Read letter from Mr. P. J. Dias, Davallium, South-East Wynaad, to the Hon. W. Hudleston, Chief Secretary to Government, Fort St. George, dated 25th July 1873.

Read endorsement thereon by the Chief Secretary to Government, dated Ootacamund, 28th July 1873.

ORDER THEREON.

There is no definite charge made against any particular individual by Mr. Dias in the aforesaid letter. He simply states in general terms that the Coorumbers, Panniers, etc., of South-East Wynaad, corrupt the waters of the streams throughout the locality. He should lay his complaint before the proper authorities, and proceed under Section 277 or 284 of the Indian Penal Code against any person or persons found committing the act complained of.

(Signed) A. MACGREGOR,  
Magistrate.

From Mr. P. J. DIAS, South-East Wynaad, to A. MACGREGOR, Esq., Magistrate of Malabar.

Your Proceedings, dated 13th August 1873, in acknowledging which I respectfully have to note, for your information as well as that of Government, that my letter to the Chief Secretary contains of course a general complaint and not an individual one, and had the latter been the case your suggestion would have been the correct procedure; the version being, however, different, I will here revert to my suggestion with little particulars.

2. The pernicious and deleterious practice of corrupting ~~the~~ streams for catching fishes by poison is not a novel one, but has been in vogue from time immemorial, and is carried on with impunity throughout the whole of the Wynaad, including Seegur, Tippacadoo, etc. Sanitary

In forwarding the correspondence as per margin, I beg respectfully, with reference to my letter to you of the 25th July 1873, to solicit the orders of Government thereon.

2. The practice of polluting the water of streams by poison is beyond doubt extremely injurious and deleterious to human constitution, especially so from its being used both for drinking and culinary purposes by the inhabitants of Wynaad, besides the impure water finding its way into the low countries. Notwithstanding this patent fact, ~~the Collector of Malabar~~ considers the matter to be unimportant, and allows my letter to lie latent in the records of his office.

3. If the practice in question prevailed in Calicut or such like stations, the Collector would have been the first to take early steps for the prevention of the evil. As it is, had the subject been brought forward by any of his subordinates instead of by me, I feel certain that it would have met with his countenance, followed by remedial measures.

4. The Collector knows, and is apprehensive, that ~~his own authority~~ is insufficient to check the evil, much more so through the action of a single and private individual. Wynaad being situated within the limits of the districts of

reforms being of the greatest importance, such nuisance as that complained of by me, resulting doubtless in imminent risk to public health, ought not to be tolerated and should be put down by the strictest application of the law, especially as little benefit is derived by those following the excursion, a public prohibition or legislative enactment interdicting the evil (within the outskirts of Wynand, the administration of which lays divided between the Collector of Malabar, the Commissioner of the Nilgiris, and probably the Mysore authorities also) is what is required, for it is both unjust and unfair to expect private parties to conduct public prosecutions at the sacrifice of their personal convenience and at their own cost, taking into consideration the fact that the proper authority in Wynand is not within easy reach. I am a Superintendent of a couple of coffee estates, and the deed complained of is not perpetrated within the boundaries of the land comprising my charge, but in portions of streams running far out of my way and through Government waste land and always, hence it is apparent that it is ill-gal for me to take any steps in the matter, since I cannot substantiate my charges either for trespass or for polluting public streams. The former falls to the ground from my non-proprietary right, and the latter from my not being a public servant within the meaning of the Indian Penal Code; further, the offenders are not one or two "Planters" or "Gardeners," but the whole body of them inhabiting Wynand and engaged themselves in the same occupation, and the stream in question cannot be checked by the Malabar District Magistrate or any individual.

3. Information regarding the streams in Wynand generally leading to irrigation purposes is being collected by me, and I will leisurely submit a report to Government on the subject. In the interim, I request that you will be good enough to inform the officers of the Excelsior in Council, with respect to my recommendation to the Chief Secretary, dated 21st July 1873.

Memorandum from A. MACGREGOR, Esq., Collector of Malabar, to Mr. P. J. DILLON, Secretary to Government, dated Calcutta, 22nd September 1873, No. 2312.

Reference to the letter dated 2nd instant. Mr. Dillon is informed that there are no reports showing any improvement from Wynand; but that some from the District of Malabar can be obtained from the Government and published in the Government Gazette.

Reference to the letter of the 23rd August last. Mr. Dillon is informed that there is nothing to be done in the matter of the Government.

Malabar, Nilgiris, and Mysore, a Government Notification is essentially necessary to put down the evil, and I accordingly beg to press the point to the notice of the Government. If my letter above referred to was passed on to the Sanitary Commissioner in preference to the Collector of Malabar, the former would, without any hesitation, have supported my opinion. I therefore request that Dr. Cornish may be consulted on the subject, which being of vital importance to the planters. They are unanimously of opinion that the nuisance is an alarming corruption and loudly calls for remedy.

4. I have applied to the Collector of Malabar for a statement of the statistical returns of coffee exported from Wynand or Malabar to Calcutta, but that functionary instead of complying with my request refers me by memorandum for such information to the District Gazette, which he knows if I had been in receipt of or supplied with, I would not have taken the trouble of writing to him and to you and his official reply to me.

5. While on the subject, I may as well mention that there are no less than *some* applications for waste land lying undisposed of in the Malabar Collector's Office or that of his Deputy; some are dated as far back as 1872, and yet the applicants have not had the land, or any final reply given to them. This question, to say the least of it, is very disparaging to the planters who are anxious to open out plantations in *proper season*, which, when passed, the planters, with disgust, have to wait for another year, and further the delay is detrimental to the Government revenue, which otherwise would have had an increase under the head of "Road Cess," "Land tax," etc.

7. To avoid the difficulty complained of, I would respectfully take the liberty of suggesting some slight modifications to the rules for the sale of waste land.

(1.) The present rules, though not now before me, as far as I can recollect, for the survey and demarcation of land prior to sale, etc., etc., and this point my opinion is that applicants be required to forward, with their applications, a rough sketch map of the land with a certain sum as deposit money bearing to the proportion of the number of acres applied for, and uniform rate per acre being fixed for the purpose by His Excellency the Governor in Council, to enable the Government to recover any expenditure necessary or incurred in view to conducting the sale, such amount being held to be the upset price at which the land is to be sold, of course reimbursing to the depositor his original deposit, in case of his failing to obtain the land when put up to auction.

(2.) After the receipt of application as above, the usual Notification to be published in the District Gazette, and a date fixed for the sale which is to take place on the site applied for, when both the applicants or claimants, if any, will be able to identify or oppose their rights, as the case may be, and, indeed, this course is far preferable than that now obtained in describing the land in the Notification, and selling the same at the Collector's office, which, in most cases, is situated at very considerable distances from the localities of the land.

(3.) On the land being knocked down, the full amount, or, if made payable in three years, the first instalment is to be paid on the spot, when the usual deed of conveyance to suit the circumstances of the case should be drawn up and delivered to the purchasers; thus the work would, in my humble opinion, be accomplished more economically and satisfactorily than the existing rules so far as the points I have raised are concerned.

Enclosed are 2 copies of the proposed alterations of the rules for the sale of waste land, dated 1st September 1873 and 26th June 1873.

Transferred to the Revenue Department with reference to paragraphs 6 and 7.  
(Signed) W. HUDLESTON,  
Chief Secretary.

17th October 1873.  
To the Revenue Department.  
Returned to the Board of Revenue.  
(Signed) E. A. DALYELL,  
Acting Secretary to Government.

Returned to the Collector of Malabar for report.  
(A true Copy and Extract.)

To the Collector of Malabar.  
Copy to the Secretary to Government, Revenue Department.  
Edw. F. R. Bantleman,  
Secretary.

Board of Revenue,  
MADRAS.

1873.

Proceedings, 56th November 1873, No. 2,415.

Copy to Mr. J. G. Rose

Received 14 Dec

NO. 2,415.

Proceedings of the Board of Revenue, Madras, 56th November 1873, No. 2,415. Copy to Mr. J. G. Rose.

10/12/73

No. 1,655.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 2nd July 1874.

Read the following letter from A. MACGREGOR, Esq., Collector of Malabar, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Angadipuram, 22nd May 1874, No. 1270:—

I have the honour to report as follows on the Board's endorsement, dated 26th November last, No. 2,415, to G. O., 24th October 1873.

2. I subjoin a tabular Statement showing in one column the existing rule, in another the proposed amendment, and in a third the objection to the amendment.

3. It will be seen at a glance that none of the proposals can be safely entertained. It is evident that they are made by one having no knowledge whatever of the subject.

4. Under the proposed rules it would be impossible for a purchaser to obtain a valid title to land purchased, and private rights would be in danger of being constantly assailed.

5. The number of applications for land are few, and I do not think that any general feeling exists as to inadequacy of the present means of disposing of them. There are two Associations of Planters, one in North and the other in South Wynnad, but they have not made any representation on the subject. If these applications can be made to the Surveyor, who is now in charge of the survey, and a regular survey which works in Wynnad from October to February undertakes them.

6. I cannot suggest any method by which Government land can be assigned for planting in the same official year as that in which it is applied for.

7. The season during which survey operations are possible in Wynnad terminates before the 1st April, and does not recommence till October.

8. To admit of land being opened in any year, it should be the planters' property not much later than January.

9. The period provided in the rules for advertisement, which could not safely be diminished, is three months. But this leaves scarcely any time for preparing survey, and what with the difficulties of the country, the necessity for check in the Deputy Superintendent's Office, etc., it cannot be expected that a survey can be completed, and map furnished in less than two or three months. Hence land can only be available for planting during the season following that in which it is surveyed. It is seldom that intending planters are driven to such urgency, and if so, they must take private land, which constitutes the bulk of land in Wynnad.

10. There are at present twelve applications in this Office, where the land has not yet been put up for sale. Only one of these was presented before the end of the survey season of 1872, and in that case the survey was finished and map ready last August, and the sale is delayed owing to the neglect of the applicant to pay the cost of demarcation and survey.

11. Most of the applicants have unopened land of their own.

ENCLOSURE No. 1.

| Existing Rule.                                                                                                                                                                                                                                                         | Proposed amendment.                                                                                                 | Objection to proposed amendment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| V.—No lot shall be sold until it has been surveyed and durable boundary marks have been erected.                                                                                                                                                                       | Land applied for with rough sketch by applicant should be sold first and demarcated and surveyed afterwards.        | Experience has shown here as elsewhere that there is great danger of embarrassment if land is sold prior to demarcation and survey. In rare and special cases only the rule should be relaxed. The result of the proposal would be to deprive private parties of the opportunity, in many cases, of bringing forward objections based either on claims to proprietary right or to communal or other interests likely to be injuriously affected. The demarcation would necessarily be begun, and there would have been no demarcation and survey on the spot to call attention to the locality to the actual land proposed to be dealt with. |
| IX.—The Collector shall at his discretion fix the time and place of sale, three clear months' notice being given in Gazette and on the land.                                                                                                                           | All sales of land shall be held on the lands themselves, and not elsewhere.                                         | The plan proposed would render the simultaneous sale of several lots impossible, and thereby tend to prevent bidders assembling as they might otherwise be expected to do if several lots were put up for sale at some convenient place where accommodation could be obtained in the neighbourhood. There is no reason for supposing that applicants for land of any considerable value would not assemble.                                                                                                                                                                                                                                  |
| XIV.—Before the time of sale any claim of private proprietorship or of exclusive occupancy or of any other right incompatible with the sale of the land be preferred, the lot shall be put up to auction as advertised, etc.                                           | Claims of proprietorship, etc., should be left to be heard, and decided on the day of sale.                         | This would be rendered almost necessary by the proposed alteration in Rule V. The claims to land in Wynad involve generally much difficulty. Taluk and Huzur Revenue rights have to be reconciled. If the auction were postponed until the day of sale, it would generally be necessary to adjourn the sale. Even if the Deputy-Collector had the materials at hand for a decision, he could not be allowed the power of final decision.                                                                                                                                                                                                     |
| The deeds are to be executed in duplicate, one after being properly filed up and signed will be submitted through the Board for the seal of Government. When returned, one copy is to be delivered to the purchaser and the other is to be preserved by the Collector. | The purchase money is to be paid on the spot, the usual deed being prepared there and handed over to the purchaser. | In the absence of ascertained area, purchase money could not be adjusted. No accurate plan could be attached. Errors would be sure to occur in areas drawn up in the jungle and not submitted to any check. The title deed, even if otherwise good, would be useless, being unregistered, and nothing would therefore be gained by handing it over at once to the purchaser. Under the existing law the Deputy-Collector would not, according to the opinion of the Government Law Officers supply a title.                                                                                                                                  |

(Signed) A. MACGREGOR,  
Collector.

Submitted to Government with reference to their endorsement, dated 24th October 1873 on a letter from Mr. P. J. Dias, S. E. Wynad.

2. The Board agree with the Collector that the proposed alterations in the rules for the sale of waste lands, cannot be accepted.

(True Copies and Extract.)

Secretary.

The Acting Secretary to Government, Revenue Department,  
the Collector of Malabar.

Edw. G. A. Tarter.

1874. 4/10/1874.

1874

Board of Directors,  
MADRAS.

RECORDED, AND FILED 1972, NOV. 1, 1975

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1848

300

100

• Interior side of wheel rim in Universal  
Aluminum Institute. C. Baker's report against  
 aluminum suggested by the Rev. Dr. J. A.  
 submitted to Government and Congress's opinion  
 approved by Dr. J. A.

5-11-44

THE UNIVERSITY OF CHICAGO