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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue

DEPARTMENT

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

1143

Press
Mis.

Dated

19.3.1877

197

Not to be folded or roughly handled

1143

*Proceedings of the Madras Government, Revenue Department,
19th March 1877.*

No. 605. Read the following Proceedings of the Board of Revenue, dated 7th March 1877, No. 1,068:—

Read the following letter from W. LOGAN, Esq., Collector of Malabar, to H. E. STOKES, Esq., Secretary to the Board of Revenue, dated Calicut, 22nd February 1877, No. 43:—

REFERRING to G.O., Revenue Department, No. 503, dated 3rd instant, I have the honor to report that during my recent tour in Wynaad Captain Cox brought to my notice that the Tahsildar had made a mistake in reporting that quartz existed on the 150-acre block of land for which he had applied. I visited Cherambadi, and I sent the Tahsildar again to inspect the land in company with Captain Cox himself. It then transpired that, owing to a loose expression used by Captain Cox in his application in describing one of the boundaries, the Tahsildar had gone to the wrong place, and the quartz which he actually saw lies outside, though adjacent, to the 150-acre block Captain Cox had described one boundary as "Parcherry Hill." The Tahsildar naturally concluded the land extended up to the Parcherry Hill, whereas in fact it did not go so far, and the Tahsildar satisfied himself that the quartz was actually outside the block. When land is covered with jungle it is difficult to obtain an exact idea of it even if demarcated, and the Tahsildar's want of precision did not seem to me to call for notice.

2. As the circumstances were such I therefore allowed the sale to proceed; but in the case of this sale, as in the other which had preceded it, I took the precaution to reserve all mineral rights as I was under the impression that the Board and Government wished me to do so.

3. I shall await receipt of the Advocate-General's reply before submitting the title-deeds for the two blocks sold, and I solicit orders whether I am in future, in publishing sale notices, to reserve mineral rights or not.

4. It is impossible for any one but an expert to say whether land is likely to contain minerals or not, and, if it is to be the policy of Government to reserve minerals, there should be no mistake about it when lands are being put up for sale. The Board will see that I have in a previous letter recommended that minerals should not be reserved except in such places as the Geological Surveyors may specifically point out.

SUBMITTED for the orders of Government with reference to G.O.s, dated 25th July 1876, No. 1,001, 28th August 1876, No. 1,179, and 3rd February 1877, No. 503.

2. It is presumed that general instructions will be issued as to the disposal of applications for waste land blocks in the Wynaad on receipt of the Advocate-General's opinion on the question referred to him in the last of the Orders above quoted.

(A true Copy and Extract.)

(Signed) C. A. GALTON,

Sub-Secretary.

*Proceedings of the Madras Government, Revenue Department,
19th March 1877.*

No. 606.

ORDER THEREON, 19th March 1877, No. 1,143.

Miscellaneous.

HIS GRACE the Governor in Council observes that the Board since the date of these Proceedings will have received the Proceedings of Government, 27th February 1877, No. 846, resolving to refer to the Secretary of State the question of altering the Indentures so as to provide for the reservation of mineral rights.

2. Under these circumstances, the Government consider that submission of the title-deeds for the land purchased by Captain Cox may be postponed until the instructions of the Secretary of State have been received.

3. As regards Mr. Logan's inquiry whether in notifying sales of land he is to reserve mineral rights, the Collector's attention will be called to Proceedings of Government, 28th August 1876, No. 1,179, which contains explicit instructions as regards the course to be pursued where the land applied for is not likely to contain minerals. Where it is shown, on satisfactory evidence, that the land probably contains minerals the application should be rejected, pending the receipt of a reply to the reference to the Secretary of State. If occupation is permitted it will be on terms similar to those granted in the cases of Mr. Minchin and Mr. Schmidt.

4. No further general instructions seem called for at present.

(True Extract.)

(Signed)

D. F. CARMICHAEL,

Offg. Chief Secretary.

To the Board of Revenue.

Exd. A. S. Rodgers.

Revenue Department
Proceedings of the Board of Revenue
Dated 7. March 1877.
No. 10681

Read the following
No. 43.

From W. Logan Esquire
Collector of Malabar

To H. E. Stokes Esqre
Asst Secretary to the Board of Rev.
Madras

Sir,
Referring to G.O. R.D. No. 503 dated
3rd instant, I have the honor to report
that during my recent tour in
Wynad, Captain Cox brought to
my notice that the Tahsildar had
made a mistake in reporting that
quartz existed on the 150 acre block of
land for which he had applied. I
visited Cherambadi & I sent the Tahsildar
again to inspect the land in company
with Captain Cox himself. It then
transpired that, owing to a loose
expression

Govt. of (1877) Madras.
REVENUE.

To

THE BOARD OF REVENUE.

Dated March, 1877.

Recd.

Encl.

G.O., 19th March 1877, No. 1113.

MARCH.

No. 605-606.

Land in Malabar.—Considering that the sub-
mission of the title-deeds for the — purchased
by Captain Cox may be postponed until Secretary
of State's instructions have been received.



expression used by Captain Cox in his application in describing one of the boundaries, the Tahsildar had gone to the wrong place and the quarry which he actually saw lies outside, though adjacent to the 150 acre block. Captain Cox had described one boundary as "Parcherry Hill". The Tahsildar naturally concluded the land extended up to the Parcherry Hill, whereas in fact it did not go so far, and the Tahsildar satisfied himself that the quarry was actually outside the block. When land is covered with jungle it is difficult to obtain an exact idea of it even if demarcated, and the Tahsildar's want of precision did not seem to me to call for notice.

2. As the circumstances were such, I therefore allowed the Sale to

to proceed; but in the case of this sale, as in the other, which had preceded it, I took the precaution to reserve all mineral rights, as I was under the impression that the Board and Govt. wished me to do so.

3. I shall await receipt of the Advocate General's reply before submitting the title deeds for the two blocks sold, & I solicit orders whether I am in future, in publishing sale notices, to reserve Mineral rights or not.

4. It is impossible for any one but an expert to say whether land is likely to contain minerals or not, and if it is to be the policy of Govt. to reserve minerals, there should be no mistake about it when lands are being ^{put} up for sale. The Board will

will see that I have in a previous letter recommended that minerals should not be reserved except in such places as the geological Surveyors may specifically point out.

Malabar Colln^r Office }
Calicut 22^d Feb: 1877 }

I have &c
S^r W. Logan
Collector

Submitted for the orders of Government with reference to G. O. dated 25 July 1876 N^o 1001, 28 August/76 N^o 1179 & 3^d Feb: 1877, N^o 503.

2. It is presumed that general instructions will be issued as to the disposal of applications for waste land blocks in the Wynand on receipt of the Advocate General's opinion on the question referred to him in the last of the orders above quoted.

(True Copy & Extract)

W. A. C. L.
Sub-Secretary

To The Secretary to Government R. D.
ndent
m

$$\frac{1143}{6}$$

Co. 3rd Reg 1877 No 503

α trip. & β 27² H₂.

Mr. Logan ~~of the~~ now reports that
the Schubler was mistaken
in alleging that the gold
minerals was within the tract
applied for & Cass. Cox -
Cass. Cox's description of the
land having been imperfect.
As the ref was found to

W. 1632

Proceedings of the

Hours of Resting.

Oct 7. Munich 179

1847-2
Dec 27

1019-3-77-1143

Submitting for the

order of - Govt - letter

from the collector of

Proletariat, working

on the Subject of our

of the blocks of

Send applies for

by Cuth: Cost in reform

to P.O. N.D. 1/1: 523

23 Feb. 77.

Lab 60 thea Truk 16/9/37). R-19-3-77
C-12/3/77 & 16/3/77

to outside the limits, W.
Logan ordered the sale
to be proceeded with, namely
returning all Govt. rights to
minerals, so far as a Deed
at Time of sale, may affect
this object -

He now reports that he
will delay submitting the
title deed until the opinion
of the advocate Genl. is
received - (1) He also
reports order as to better
withholding sales of land
he is to reserve the
mineral rights - (2) The
Govt. also state that general
instruction will be issued for the
disposal of applications
for waste land blocks.

With regard to point (1)
it is submitted that the
preparation of the title deed
should be delayed until a reply
is received from the Secy
of State - to point (2) that

Govt. let the title deed
with the reservation of
minerals - It is pointed out
that in this case the
may apply an exception
condition on the title
deed - then all the
certain

(2) The same process
be observed in the sale
of non-competitive land
as in the case of competitive
land - (5/2/77)

I can see no harm
in issuing the title
deed in accordance with
the terms of sale. In fact
I think the purchaser
can demand them -
Whether the x

* Deviation in the sale
conditions of all rights
to minerals will be approved
by the Sec. of S. is another
matter. Unless the
purchaser demands the
title deed. Govt. will not
the reply before issuing. H.H. 1/3

cupation should be permitted
by all for prospecting
K.P. M.H.
Yes But
M.H.

avoid reply from
Governor
But

the instructions of Govt. (Go.
24th August 76. No 1179) are
sufficiently explicit as regards
lands "not likely to contain
minerals" - where
it is shown, on satisfactory
evidence, that the lands
applied for do contain
minerals, it is submitted,
that the application
should be rejected & pending
reply to the response to the
Secy of State, - or if occupancy
is permitted, it should
be temporary, as in the
case of M. J. Munck
& Schmidt - - as
regards point (3) it is not
clear what power authorizes
the Board call for -
the case however nothing
sums called for until
the Govt. hear from Home
10.3.77

Memo for orders
Land in Malabar
applied for by Captain
Cot

N^o 1632/77

Cot

Ans

Order the

N^o 1143 of 19-3-77

33
N^o 1143 of 19-3-77

his grace the Gov. to Council
dunn has the B^o ~~land~~
the date of these B^o will
have received the B^o
of 27th 1877 N^o 846.
resolving to refer to the
Gov. of the State the question
of obtaining the assistance
to be provided for
the intervention of
national rights
under these circumstances
the Gov. considers that
the title and
subjection of the land
for the land purchase of Capt. Cox
may be postponed until
the instructions of the
Gov. have been received.
As regards Capt. Logan's
enquiry whether in notifying
sales of land he is to
reserve national rights
the Gov. is also to be
called to Gov. 28th Aug

18) 6. 11. 75. - which
contains explicit instructions
as regards the course to
be pursued where the
land applied for is not
likely to contain minerals -
where it is shown, a satisfactory
evidence, that the land
probably contains minerals
the application should
be rejected, pending the
receipt of a report to the
Liquor & the Secy of State.

If occupation is permitted
it will be ^{in terms similar to} temporary or
state ^{of the land} ~~of the land~~ ^{of the land} ~~of the land~~

L. Schindler -

No general instructions
were called for & sent.

19.3.77

14 To the W. of B. 26.3.77

Sold -

Capt Cox's Application

True Order

Disbon