

(1) Number of pages 16

(2) Date of repair 18.9.1962

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE

Government of Madras

Revenue

DEPARTMENT

G.O. No.	1345	Press
B.P. No.		Mis.
Dated	1 - 12 - 1882, 195	

Not to be folded or roughly handled

1ST DECEMBER 1882, No. 1345, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue, dated 10th November 1882, No. 2729:—

Read—the following Proceedings of the Madras Government, Revenue Department, dated 9th September 1882, No. 961.

Reference dated 12th October 1882.

The Government Solicitor is requested to forward a form of lease for waste lands let for diamond mining, embodying the conditions prescribed by Government. The form of license sanctioned in G.O., dated 13th December 1881, No. 1925, does not appear quite suitable as the lease is to be for five years instead of one year.

(Signed) E. GIBSON,
Acting Secretary.

To the Government Solicitor, with copy of
G.O., 13th December 1881, No. 1925.

Read—also the following letter from E. BARCLAY, Esq., Government Solicitor, to the Secretary to the Board of Revenue, dated Madras, 28th October 1882, No. 549:—

With reference to the Proceedings of the Board of Revenue and reference under date the 12th instant, No. 3119, I forward herewith, for approval, fair draft form of lease for mining for diamonds and other precious stones and embodying conditions prescribed by Government in their Notification set out in the Proceedings of Government, Revenue Department, dated 9th September 1882, No. 961.

Resolution—dated 10th November 1882, No. 2729.

Submitted for the orders of Government with reference to G.O., 9th September 1882, No. 961.

2. In the penultimate clause on page 1 of the draft lease submitted by the Government Solicitor, the Board consider that the words "and delineated in the plan thereto attached" may be added as has been done in the case of the form for gold mining leases.

3. At page 5 the Government Solicitor has inserted a clause to the effect that if the lessee in the course of diamond mining operations strike gold he shall accept a gold mining lease for the remainder of the term. As the rent per acre under a gold mining lease is only Rs. 5 while it is Rs. 15 under a diamond mining lease, this clause is obviously unsuitable. It appears to the Board extremely unlikely that gold will be discovered in place where a search is made for diamond, and any such cases, if they actually occur, be specially dealt with as they arise. This clause will, therefore, be struck out. the Government otherwise direct.

4. The clause at page 6 makes the lessee liable for such timber as he might cut and not for all the trees standing on the mining lease. and as is the case in the form of gold mining lease. The latter clause should be adopted as being in conformity with the instructions of Government.

1ST DECEMBER 1882, No. 1345, REVENUE.

5. If these alterations are approved, the form of diamond mining lease will be circulated to Collectors for adoption.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue
Department, with draft lease to be returned.
Copy to Government Solicitor.

ORDER—dated 1st December 1882, No. 1345, Revenue.

Miscellaneous.

The form of lease submitted with the foregoing paper; with the modifications suggested by the Board in paragraphs 2—4, is approved.

2. The Board will have the form of lease, as approved, printed, and circulate it to Collectors for adoption, furnishing a number of copies to Government.

(True Extract.)

(Signed) E. F. WEBSTER,
Secretary to Government.

To the Board of Revenue, with one enclosure.

Erd. W. H. French.

50 Copies.

Original

Govt. of (1882) Madras.

REVENUE.

Issued

Recd.

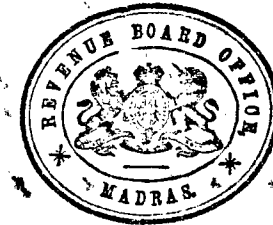
Encl.

G.O., 1st December 1882, No. 1345.

DECEMBER.

Diamonds and other Precious Stones.

Form of lease for mining for —, approved with modifications suggested by the Board; and the Board instructed to have it printed and circulated to Collectors for adoption, furnishing a number of copies to Government.



Proceedings of the Board of Revenue,

Dated 10th November 1882.

No. 2729

Miscellaneous

READ the following:—

Proceedings of the Madras Government, Revenue Department dated 9th September 1882 No 961. D2. Reference dated 12th October 1882.

The Government Collector is requested to forward a form of lease for waste lands let for diamond mining, embodying the conditions prescribed by Govt. The form of licence sanctioned in G.O. dated 13th December 1881 No 1925 does not appear quite suitable as the lease is to be for five years instead of one year.

J. E. Gibson
Ag. Secretary

To: The Govt. Collector
with copy of G.O. 13 December 1881 No 1925.

Read also the following letter
from Ernest Barclay, Govt Solicitor
Madras, to the Secretary to the
Board of Revenue Madras
dated 28 October 1882 N 549.

With reference to the pro-
ceedings of the Board of Revenue
and reference under date the 12th
instant N 3119 I forward
herewith for approval a draft
form of lease for mining for
diamonds and other precious
stones and embodying the con-
ditions prescribed by Government
in their notification set out
in the Proceedings of Government
Revenue Department dated 9th Sep-
tember 1882 N 961.

Resolution

Submitted for the order
of Government with reference N 961
9th September 1882 N 961.

2. ⁽¹⁾ In the ultimate clause
of page 1 of the draft lease
submitted by the Government
Solicitor, the Board consider
that the words "and delineated"
in the plan thereto attached"
may be added as has been
done in the case of the form
for gold mining leases.

3. At page 5 the Government
Solicitor has inserted a clause
to the effect that if the lessee
in the course of diamond mining
operations strike gold he shall
accept a gold mining lease for
the remainder of the term. As
the rent per acre under a gold
mining lease is only Rs 5 while
it is Rs 15 under a diamond
mining lease this clause is obviously
unsuitable. It appears to the
Board extremely unlikely that
gold will be discovered in places

where a search is made for
diamond and any such cases
if they actually occur may be
specially dealt with as they
arise. This clause will therefore
be struck out unless the Govt
otherwise direct

4. The clause at page 6
makes the lessee liable for
such timber as he might
cut and not for all the trees
standing on the land as is the
case in the form of gold mining
lease. The latter clause should
be adopted as being in conformity
with the instructions of Govern-
ment

5. If these alterations
are approved, the form of
diamond mining lease will be
circulated to collectors for
adoption

adoption.

(5)

/ True copies & extracts

L. H. Brown

Acting Secretary

To, The Secretary to Govt R &
with draft lease to be returned
copy a Government Solicitor

sd/ M. J. P.
copy to M. J. P.

P.O. 9. 9. 82 No 967.

Revenue (1882) Department
No 6490
1882.
Board of Revenue,
MADRAS.

To

The Secretary to Govt
Revenue Department

Print

Recd. 13th Nov. Enc. 1
Proceedings, dated 10th November 1882.
No. 2729.

Subject.

Submitting with
remarks, for the order
of Govt letter from the
Govt Solicitor forwarding
for approval draft
form of lease for mining
for diamonds & other
precious stones.

13/11/82

C-27-11-82 R. 1-12-82

Draft G.O.

1345 of 1-12-82

Board's Prg. dated
10 November 1882. No 2729.

The form of lease
submitted with the fore-
going paper, with the mo-
difications suggested by
the Board in paras 2-4,
is approved.

2 With reference to the
Board's suggestion in para 3,
however, the Govt observe
that the rent for the diamond
- mining lease being higher,
it necessarily covers gold
and other metals; if any
are found in the course of
mining for diamonds, and
there is no need, therefore,
for

I would
omit this
para
and concern
in the opinion
expressed
that Board
JW

Supposing a man to hunt why?
a diamond mine:
then for diamond lease he pays 15R
& if he discovers gold on the same land
is he to pay nothing more?
JW

for such cases, if any
should arise, being specially
dealt with.

2. The Board will have
the form of lease as approved,
printed and circulate
it to Collectors for adoption,
furnishing a number of
copies to Government.

Res.
21- The Board of Revenue
with one Secy
Dec: 2-12
P.S.C. Sec: 28

Draft 90 on C. L. L.
6/20

Form of handwriting
in diamonds and other
figures shown

Print
MS. 1/12

Am. Mr. Sullivan
Mr. Carmichael.