

(1) Number of pages 36
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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. B.P. No.	723	Press. Mis.
Dated	8.2.1977	197

Not to be folded or roughly handled

Miscellaneous No 4345 Revenue Department
Proceedings of the Board of Revenue

Dated 26th May 1874

Read the following
No 26

From
J. R. Lockrell Esquire
Commissioner Nilgiris

The Secretary to the
Board of Revenue
Madras

Sir
With reference to the marginally
noted proceedings of the Board of Revenue
I have the honor to forward herewith copy
of the deed of Transfer of certain lands
adjoining and forming part of the
Rumy Medo Estate and to request in-
structions of the Board as to the form
of deed to be issued to Messrs Stanes
Brothers

Proceedings of the Board of Revenue

No. 2400 dated 26th August 1874.
No. 3008 — 16th October 1874.

Wills — Wills

Miscellaneous No 4345 Revenue Department

Proceedings of the Board of Revenue

Dated 26th May 1874

Read the following

No 28

From

J.R. Lockrell Esquire
Commissioner Nilgiris

The Secretary to the
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Madras

Sir

With reference to the marginally
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I have the honor to forward herewith copy
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Brothers

Proceedings of the Board of Revenue

No. 2400 dated 26th August 1874.

No. 3008 — 16th October 1874.

Wills — Wills

Brothers for the 42.42 Acres of land
purchased by Mrs. Harriett Stanes on
the 29th July 1867 under the Waste Land
Rules.

Commissioners office } I have Yee
Notarized 12th May 1876 } (Sgt) H. J. Knox.
for Commissioners

Communicated to the Government Solicitor
who is requested with reference to Board's
Proceedings quoted by the Commissioner to for-
nish Draft of the Deed requisite to give
Messrs Stanes Brothers a valid title.

(True copy and extract)

(Sgt) C. A. Fulton
As Secretary

Pro. To Government Solicitor
Copy to Helges
(True copy)

W. L. Fulton
As Secretary

W. L.

12/2

This Indenture is made the twenty fifth day of February One thousand eight hundred and twenty six between William Waterbury Scudder late of Vellore in the Presidency of Madras Doctor of Divinity and American Missionary but now residing at Glastonbury in the State of Connecticut in the United States of America and the Reverend Ezekeel Carmin Scudder of Vellore in the Presidency of Madras aforesaid James Thacker of Olbury St. Mary in the County of Devonshire in England and formerly of Coonoor on the Nilgiri Hills a Veterinary Surgeon in Her Majesty's Indian Army of the first part the said James Thacker of the second part and Henry Stanes of London in the County of Middlesex Merchant Thomas Stanes of Coonoor aforesaid Coffee Planter and

Excluded in Board

Official Burman

W. W. Scudder
& Co. Agents

at 30th January 1877.

Copy of Board of Directors
dated 26th Aug 1876
Min. No. 4345

and Robert Stanes of Calicutore
in the Presidency of Madras hereafter
of the third part.

Whereby, by an indenture of
Conveyance dated the day of
one thousand eight hundred
and sixty nine and expressed to
be made between the said William
Waterbury Scudder and Ezekiel Larmen
Scudder of the first part Harist Thacker
of the second part the said James Thacker
of the third part and the said Henry Stanes
Thomas Stanes and Robert Stanes of the
fourth part a certain Coffee Estate
called the Runny mede Coffee Estate and
premises were thereby conveyed and
assigned to or otherwise became abso-
lutely vested in the said Henry
Stanes

Recital of Con-
veyance of the
Runny mede Estate
to H. Stanes, who
Stanes and Robert

that Harist
Thacker of the
first part
of piece
and firstly
described in the
schedule here-
under to be
made

Stanes Thomas Stanes and Robert Stanes
their Executors Administrators and assigns
as tenants in common.
And whereas the said Harist Thacker either
before or after the execution of a certain Indem-
nity of Settlement dated the Sixth day of
February One Thousand Eight Hundred
and Sixty Eight and made in her marriage
with the said James Thacker and of which
Settlement the said William Waterbury
Scudder and Ezekiel Larmen Scudder were
the Trustees was possessed of the piece or
parcel of land and premises firstly par-
ticularly described in the schedule here-
under written however the same was or not
included in the said Indenture of Settle-
ment made on the marriage of the
said

Said Harist Thacker and James Thacker dated the eighth day of February one thousand Eight hundred and sixty eight and therefore according to the law of Media notwithstanding her marriage remained her sole property.

And Whereas the said James Thacker was previously to the execution of the said hereinbefore in part recited Indenture of Conveyance of the

That James Thacker was possessed of the pieces of land secondly described in the schedule hereto previously to the execution of the Conveyance of the Runnymede estate.

day of

One thousand Eight hundred and sixty nine possessed of the pieces or parcel of land being secondly particularly described in the said schedule hereunder written.

And Whereas the said two several pieces or parcels of land and premises were prior to the execution

That the two pieces of land were prior to the Conveyance of the Runnymede Estate held with and formed part of the "Runnymede Estate" and were excluded from the Conveyance.

27/11
execution of the said hereinbefore in part recited indenture of Conveyance of the day of one thousand eight hundred and sixty nine held with and formed part of the said Runnymede estate but though intended to be included in the said Conveyance of the said Runnymede Estate to the said Henry Stanes, Thomas Stanes and Robert Stanes the same were inadvertently excluded from the said hereinbefore in part recited indenture of the day of one thousand Eight hundred and sixty nine and respectively remained the property of the said Harist Thacker and James Thacker respectively.

And

And whereas the said Harriet Thacker died on or about the ^{Death of} ~~twentieth~~ ^{Harriet Thacker} day of December one thousand eight hundred and seventy one having previously made her will dated the tenth day of May one thousand eight hundred and seventy one and thereby appointed the said William Waterbury Scudder and Ezekeil Carmen Scudder executors thereof.

And whereas probate of the said ^{Proof of Will} will of the said Harriet Thacker deceased was on the twentieth day of February one thousand eight hundred and seventy two granted by the High Court of Judicature at Madras to the said William Waterbury Scudder and Ezekeil Carmen Scudder as the executors

123/6
executors thereby appointed. And whereas the said Henry Stanes, Thomas Thacker deceased re- Stanes and Robert Stanes have applied requested by H. Stanes, T. Thacker and R. Stanes to the said William Waterbury Scudder and Ezekeil Carmen Scudder as such executors as aforesaid to convey to them the said piece or parcel of land fully particularly described in the said schedule hereunder written and have also applied to the said James Thacker to join in such conveyance which they the said William Waterbury Scudder Ezekeil Carmen Scudder and he the said James Thacker have respectively consented and agreed to do.

Application by H. Stanes, T. Stanes and R. Stanes to James Thacker to convey to them the piece of land belonging to them. And whereas the said Henry Stanes Thomas Stanes and Robert Stanes have also applied to the said James Thacker to convey and assign to them the said piece or parcel of land secondly particularly

particularly described in the said
Schedule hereunder written which he
the said James Thacker has also agreed
to do as in manner hereinafter appears.

Now this Indenture witnesseth that ^{Witnessed}
in Compliance with such request
and in Consideration of all and singular
the premises and in Consideration of
the sum of Rupees five to each of them

The said William Waterbury Scudder
and Ezekiel Carmen Scudder on or before
the execution of these presents paid by

the said Henry Stanes Thomas Stanes and
Robert Stanes the receipt whereof they

the said William Waterbury Scudder
and Ezekiel Carmen Scudder do hereby
respectively acknowledge they the said

William Waterbury Scudder and Ezekiel ^{Count James by}
Carmen Scudder as such executors as ^{executors of piece}
of land ^{1st & des-}
cribed in schedule

aforesaid do and each of them doth
hereby

hereby Convey and assign unto the said
James Thacker in Consideration of all and sin-
gular the premises doth hereby Convey assign
release and Confirm unto the said Henry

Stanes Thomas Stanes and Robert Stanes
their executors and administrators all that
Parcel piece or parcel of Land being firstly par-
ticularly described in the said Schedule here-
under written.

Conveyance by
James Thacker of
piece of land &c
Cont'd & described
in schedule

And he the said James Thacker in Compliance
with such request and in Consideration of
the sum of Rupees five to him on or before
the execution of these presents paid by the
said Henry Stanes Thomas Stanes and
Robert Stanes doth hereby Convey and
assign unto the said Henry Stanes Thomas
Stanes and Robert Stanes their executors
and administrators all that piece or
Parcel parcel of land being secondly particularly
described

described in the said Schedule hereunder written.

Together with all trees Commons hedges ditches ^{Together with appurtenances} fences ways waters watercourses liberties privileges Easements advantages and appurtenances whatsoever to the said two several pieces or parcels of land and premises or any of them in anywise appertaining or heretofore occupied or held or enjoyed there with or reputed as part thereof or appurtenant thereto.

And all the estate right title interest ^{estate &c} property claim and demand whatsoever of them the said William Waterbury Scudder and Ezekiel Carmen Scudder as such executors as aforesaid and of him the said James Thacher into and upon the said

23/8
said piece or parcel of land and premises firstly particularly described in the said Schedule hereunder written and of him the said James Thacher into and upon the said piece or parcel of land and premises secondly particularly described in the said Schedule hereunder written.

^{Volendum}
To hold the said two several pieces or parcels of land and premises unto the said Henry Stanes Thomas Stanes and Robert Stanes their executors administrators and assigns as tenants in Common.

^{remnant by custom of Man. Thacher with best to the piece and 18th described in the Schedule that by hand of numbered.}
And they the said William Waterbury Scudder and Ezekiel Carmen Scudder do and each of them doth hereby for themselves and himself their and his executors and

executors administrators and assigns
shall and may at all times hereafter peace-
ably and quietly possess and enjoy the
said piece or parcel of land and
premises being secondly particularly
described in the said schedule hereunder
written and receive the rents and pro-
fits thereof without any lawful objection
interruption claim or demand whatsoever
from or by the said James Thacker or his
executors or administrators or any person
or persons lawfully or equitably claiming
from under or in trust for him them or
any of them.

And that free from all incumbrances ^{free from}
whatsoever made or suffered by the ^{cumbrances}
said James Thacker or by any person
or persons lawfully equitably claiming
as aforesaid.

And

And for
further as-
urances.

123/p
And further that he the said
James Thacker and his executors and
administrators and all persons having
or lawfully or equitably claiming any
estate or interest in the said premises
or any of them or any part thereof
from under or in trust for the said
James Thacker or his executors or ad-
ministrators shall and will from time
to time and at all times hereafter at
the request and cost of the said Henry
Stanes Thomas Stanes and Robert
Stanes their executors administrators
or assigns do execute and register
or Cause to be done executed and regis-
tered all such acts deeds and
things

things whatsoever for further and more perfectly assuring the said piece or parcel of land being secondly particularly described in the said Schedule hereunder written and every part thereof into the said Henry Stanes Thomas Stanes and Robert Stanes their executors administrators and assigns in manner aforesaid as shall or may be reasonably required.

In witness whereof the said William Waterbury Scudder Esquire James Scudder and James Thaxter have hereunto set their respective hands and seals the day and year first above written.

The

The Schedule to which the above written Indenture refers
Firstly

Dis-trict	Talook	Village	Name (if any) and boundaries	Extent
Vindaloo / how Mlye	Neighing	Goonam Pangamand	Name None	Nearly two decimal four two acres 42.42
			North Government Waste (Graf) and Sholah	
			South Government Waste (Sholah) and Government Waste (Graf)	
			East Madans Puthah Land Coller path bordering on Government waste (Sholah) and Government waste (Graf)	
			West Government waste (Graf) bordering on the new line from Connor to Droog	

Secondly

Name	Village	Sub Right Dist and Right of	Boundaries			area	Puthah No
			North	South & East	West		
Dochoogutia	Mathonande	Neelgharia	Burghes Putha lands	Government Waste land Called Bellans Bettine	Government waste land Called Hoockwargy Bettine	Puthah 15/16th or acres 72/15th	70

Signed

Signed sealed and obtained
by the above named Esq. Will.
Larmer Scudder on his own
behalf and also as the duly
Constituted attorney of the above
named William Waterbury
Scudder and James Tucker
in the presence of

(Signed)
William Waterbury Scudder
by his attorney E. C. Scudder

Seal

(Signed) E. C. Scudder Seal

(Signed) J. G. Ferrand

(Do) James Morgan

Solr. Madras

(Signed) James Thacker

By his attorney E. C. Scudder

Seal

Presented at 1-15 P.M. on 25 February 1876 in the
office of the Registrar of Madras by

(Signed) E. C. Scudder

Execution admitted by the undersigned for himself
and as the attorney of the aforesaid William Waterbury
Scudder and James Tucker.

(Signed) E. C. Scudder

Villars

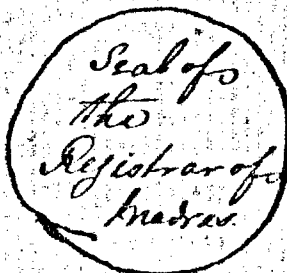
Witness Examined

(Signed) James Morgan
Solr. Madras

25 February 1876 (Signed) J. G. Ferrand
Registrar

Registered as No 399 of Book II Vol. 106
pages 399 to 406

26 February 1876 (Signed) J. G. Ferrand
Registrar



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No. 1,593.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 20th June 1876.

Read the following letter from E. BARCLAY, Esq., Acting Government Solicitor, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Madras, 30th May 1876, No. 269:—

I HAVE the honor to acknowledge receipt of copy Proceedings of the Board of Revenue, dated 26th May 1876, and with reference thereto to inform you that, in my opinion, there is no necessity for any special form of deed to give Messrs. Stanes Brothers a valid title to the land in question.

2. Messrs. Stanes Brothers are and, I believe, have been for some time in possession of the two pieces of land; and the deed of 25th February 1876 conveys to Messrs. Stanes Brothers all the interest of the late Mrs. and of Dr. Thacker, respectively, in those two pieces of land. I think, therefore, that Messrs. Stanes Brothers will have a good title to the land if the ordinary form of putta be issued to them. If they, however, wish for any particular form of deed, I would suggest that they prepare it and submit it to the Board for approval, but I do not see that they can, under the circumstances, gain a better title by a special deed than they will obtain by an ordinary permanent putta.

3. I return herewith copy deed of conveyance, dated 25th February 1876.

THE Board do not understand how the ordinary form of putta can be issued, as the land in question was purchased by the late Mrs. Thacker under the Waste Land Rules. What is required is a modification of the Form X appended to the Waste Land Rules, copy of which has already been furnished to the Government Solicitor to meet the peculiar circumstances of the case. A title-deed in Form Y was originally issued; the conditions of that deed having been duly fulfilled, the purchaser was entitled to a deed in Form X in lieu thereof; meanwhile, however, the estate had been transferred and the original purchaser under the Waste Land Rules had deceased. Form X as it stands does not meet the present case, and it seems necessary to modify it by a recital of the special circumstances. It is for Government to furnish a valid title, and Messrs. Stanes Brothers cannot be called upon to submit a form of deed for approval.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Government Solicitor.

Copy to the Commissioner of the Nilgiris.

Exd. W. J. Lewis.

Copy of Envelope
to Board of Revenue
26th May 1876
No. 4345

Messrs. Stanes Brothers
1876

No. 1,727.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th July 1876.
Read the following letter from E. BARCLAY, Esq., Government Solicitor, to
C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated
Madras, 29th June 1876, No. 317:—

I HAVE the honor to acknowledge receipt of the Proceedings of the Board of Revenue, dated 20th June 1876, No. 1,593.

2. I have prepared and forward herewith, for approval, fair draft of a form of grant from Government to Messrs. Stanes Brothers of the 42.42 Acres of land at Coondor purchased by the late Mrs. Harriet Thacker, then Stanes.

3. The form of grant enclosed is, as far as the operative part of it is concerned, in accordance with the Form X. appended to the Waste Land Rules, the only modification being in the recitals so as to meet the circumstances of the case. When writing my letter, dated 30th May 1876, No. 269, I was under the impression that it was in the form of grant itself and not merely in the recitals that the Board required an alteration.

4. I quite concur in the opinion of the Board that it is for Government to furnish a valid title, but furnishing a title does not mean preparing the deed by which that title is conveyed but executing such a deed as will convey the title. As a general rule the purchaser prepares the conveyance of land purchased by him and bears the expense of so doing, and, as in this case, the change of circumstances which rendered the preparation of a special form of deed necessary was brought about through the neglect or default of the purchaser, Mrs. Thacker, I certainly think it a case in which those who claim under her, Messrs. Stanes Brothers, should have prepared the deed at their own expense.

ENCLOSURE No. 1.—Draft Form.

THE Board approve the draft form of grant which will be forwarded to the Commissioner of the Nilgiris for adoption, subject to a few slight verbal alterations noted therein.

2. The Board concur with the Government Solicitor in thinking that, under the circumstances of the case, the cost of preparing the deed should be borne by Messrs. Stanes Brothers. The Commissioner of the Nilgiris will inform Messrs. Stanes Brothers that on payment of the charges (the amount of which the Government Solicitor should communicate to Mr. Cockerell direct) a deed in the form drawn up will be granted.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Secretary.

To the Commissioner of the Nilgiris, with draft Form of Grant.
.. the Government Solicitor.

Exd. J. Tulloch.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 26th August 1874.

Read the following letter from J. R. COCKERELL, Esq., Commissioner of the Nilgiris, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Ootacamund, 19th August 1874, No. 87:—

On the 29th July 1867 a piece of land adjoining the Runnymede Estate, measuring 42.42 acres, was purchased by Mrs. Harriett Stanes, widow of the late William Henry Stanes, under the Waste Land Rules, for the sum of Rupees 1,310. On the completion of the sale Mrs. Stanes having elected to pay the purchase-

paid by Mrs. H. Thacker on the 12th	Rs.	money in three annual instalments depo-
August 1868	393	sited ten per cent. and was granted a
Paid by Mrs. H. Thacker on the 18th		title-deed in Form Y attached to the
August 1869	393	rules. The balance of the purchase-
Paid by Mr. Stanes on the 30th May		money, viz., Rupees 1,179, was paid on
1871	393	the dates specified and by the individuals
Total	1,179	noted in the margin.

2. In the meantime Mrs. Stanes changed her condition and Mrs. Thacker transferred the Runnymede Estate with its appurtenances to the Stanes Brothers. In the deed of conveyance (copy herewith sent) no separate specific mention is made of the forty-two-acre plot. The general tenor of the document would seem to include it. Mr. T. Stanes acting as Agent now applies to me on behalf of the Brothers for the issue of a title in Form X. The form does not appear to me to be adapted to the peculiar circumstances of the case and hence I apply to the Board for instructions. I believe the reference has arisen in consequence of negotiations to purchase by Colonel Dalrymple, and the Stanes Brothers wish to have a title to make over to that gentleman.

3. The following papers are forwarded for reference:—

Title-deed No. 175.

Letter of Mr. Stanes, dated 2nd June 1874, with an enclosure.

Copy of the deed of transfer, dated 13th October 1869, of the Runnymede Estate to Messrs. Stanes Brothers.

ENCLOSURE No. 1.—Title-deed No. 175.

ENCLOSURE No. 2.—Letter of Mr. Stanes.

ENCLOSURE No. 3.—Copy of Deed of Transfer.

THE Board resolve to forward the papers to the Government Solicitor and request him to advise them as to whether the deed should be granted, and, if so, with what alteration.

(A true Copy and Extract.)

(Signed) J. GROSE,
Secretary.

To the Government Solicitor,

with three original enclosures to be returned.

Copy to the Commissioner of the Nilgiris.

Ed. A. S. Rodgers.

1876.

Board of Revenue,

MADRAS.

PROCEEDINGS, 6th JULY 1876, No. 1,727.

Encl.

Received

JULY.
No. 1,727.

Land—on Nilgiri Hills purchased by Mrs. Harriett Stanes.—Approving and forwarding to Commissioner draft form of grant from Government to Messrs. Stanes Brothers of —, and requesting him to inform these gentlemen that a deed drawn up in the form will be granted to them on payment of necessary charges.

1874.

BOARD OF REVENUE.
MADRAS.

PROCEEDINGS, 26TH AUGUST 1874, No. 2,400.

Received *Rev. 5/10/74*

AUGUST.
No. 2,400.

Land—on Nilgiris purchased by a Mrs. Stanes and subsequently made over by her to Messrs. Stanes Brothers.—Papers on subject of —, forwarded to Government Solicitor for opinion as to whether the proposed title-deed should be granted, and, if so, with what alteration.

No. 3,008.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 16th October 1874.

Read the following letter from H. G. PRICHARD, Esq., Government Solicitor, Madras, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Madras, 25th September 1874, No. 524:—

With reference to the Proceedings of the Board of Revenue, dated 26th August 1874, No. 2,400, made on letter from the Commissioner of the Nilgiris to the Board of Revenue, dated 19th August 1874, No. 87, and requesting me to advise whether a Title-deed in Form X. should be granted to Messrs. Stanes Brothers in respect of certain lands adjoining the Runnymede Estate on the Nilgiri Hills, originally applied for by the late Mrs. Thacker, I have the honor to state that as the land in question was not comprised in the Deed of Conveyance of the 13th of October 1869, the proper course to be pursued will be for Messrs. Stanes Brothers to obtain from the Revds. W. W. Scudder and E. C. Scudder, as the executors (with Probate) in this country of the Will of the late Mrs. Thacker, an assignment of the rights of the late Mrs. Thacker under the Deed of Covenant from the Secretary of State, dated 21st October 1867, and having obtained this to apply to Government for a permanent grant of the land in question.

2. I have not been furnished with a copy of the Title-deed in Form X., and am, therefore, unable to say whether this form can be used for Messrs. Stanes Brothers after they have obtained the assignment above suggested, or whether a fresh form of deed will be necessary.

3. I return, herewith, the several papers which accompanied the above Proceedings.

COMMUNICATED to the Commissioner of the Nilgiris who will instruct Messrs. Stanes Brothers accordingly.

2. With reference to paragraph 2 a copy of the Rules for the sale of waste lands will be sent to the Government Solicitor.

(A true Copy and Extract.)

(Signed) J. GROSE,
Secretary.

To the Commissioner of the Nilgiris, with Title-deed and letter of

Mr. Stanes, returned.

the Government Solicitor, with copy of Rules for sale of waste lands.

Ed. F. R. Bantleman.

Revenue Board Office
Madras 30th January 1877

No 203

Official Memorandum

As requested in memorandum dated
17th January 1877 No 11 the undersigned
Board Regs: 826 Aug 74 No 2400 is directed to forward to the Under Secretary
" 16 Oct 74 No 3008 to Government R.D. the Correspondence
" 26 May 76 No 4345 marginally noted relative to the purchase
" 20 June 76 No 1598 of the land on the N. of the by the late
" 6 July 76 No 1727 Mr. Thacker.

It is observed that Copy
of Board's Proceedings dated 6th July 1876
No 1727 was submitted to Government
with Board's Proceedings 11th January 1877
No 334.

(By order)

W. L. L.
Asst. Secy.

To The Under Secretary to Government R.D.
with Copies of B.D. Proceedings noted in the margin

BOARD OF RESERVES

MADRAS.

PROCEEDINGS, 16TH OCTOBER 1874, No. 3,002

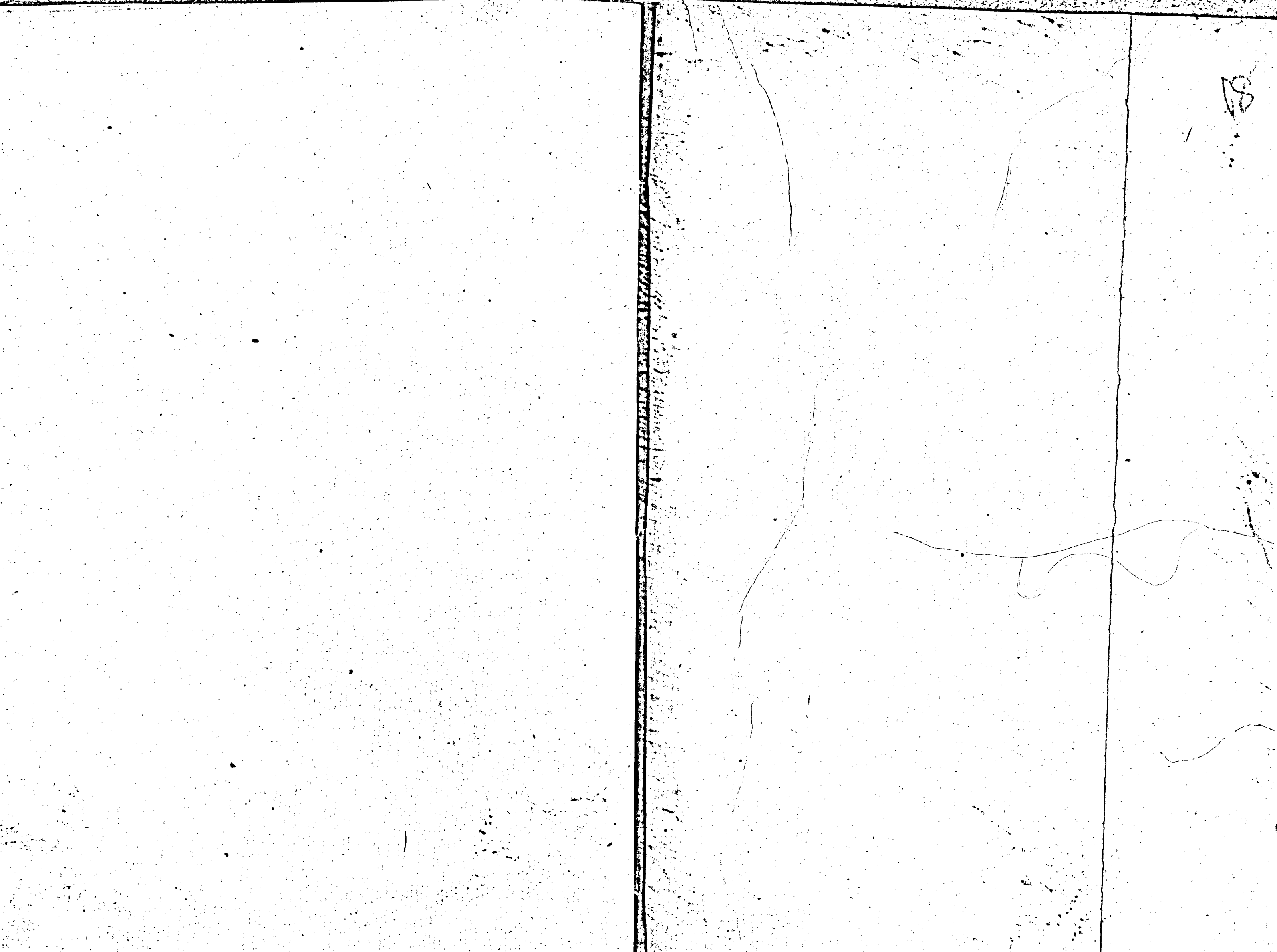
Encl.

Recd: 4
1003/77

Received

OCTOBER.
No. 3,003.

Land—on Nigiri Hills purchased by
Mrs. Stanes and subsequently made over by her
to Messrs. Stanes Brothers—Letter from Gov
ernment Solicitor advising as to proper course
to be pursued by these gentlemen in regard to
communicated to Commissioner. Copy of the
files for the sale of waste lands, forwarded
Government Solicitor.



Memorandum 1877 Sept

No 103

Official Memorandum

shown to the Under

Secretary & General 1880

Dates 30 January 1877

and 30 2

in 5th 1st 1st
Recd 1 July 1877

Do. 1877

Stewardship Office of
Proceedings relating to
the purchase of the land
on the right side of the lot
in the Charter No 123.

Loose

8 24771

123
13