M.R.O. 14—5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 341 Press ~~Mis.~~

109-110

Dated 9-2- 1867.

Not to be folded or roughly handled

Read again letter from Captain W. A. KERR, V. C., dated 10th, and recorded in G. O. 23rd November 1866, No. 3,208.

No. 109. Read also the following Proceedings of the Board of Revenue, dated 16th January 1867, No. 285.

Read the following letter from the Collector of Madura, to the Secretary to the Board of Revenue, dated 7th December 1866, No. 405 :—

1. Referring to the Order of Government, in the Revenue Department, No. 3,208, dated the 23rd November 1866, conveyed in Board's Proceedings, dated the 28th idem, I have the honor to report that, under the rules for the sale of waste lands, dated the 5th March 1863, the price fixed for such lands on the Pulney Hills is 5 Rupees for grass, and 10 Rupees for forest lands; that the payment of that sum enables the purchaser to hold them free, for ever after, of any demand on account of land tax, and that no lot should exceed 500 acres, unless otherwise specially sanctioned by Government. Within hill stations, &c., lots are not to exceed ten acres, but parties are at liberty to apply for contiguous lots, each lot not exceeding the above limits.

2. I see no objection to Government permitting Mr. Kerr to purchase one block of 4,000 acres on the Pulneys, or as many blocks as he may require at the fixed rates, the lot or lots being advertised previous to auction for three months, as required by Rule IX. of the above said rules.

3. Under the rules abovementioned, the purchaser should, immediately the land is knocked down to him, deposit ten per cent. of the purchase money, and intimate his intention either to pay the remainder within thirty days, or in three yearly instalments bearing interest of six per cent., the land remaining hypothecated to Government till the purchase money is paid; but if the purchaser fails to pay within thirty days, and fails to execute the required agreements, his arrears bear interest at twelve per cent., and Government is at liberty, if he neglects or refuses to fulfil the conditions of purchase, to re-sell the lands, and the original purchaser forfeits his deposit.

4. It will be seen Mr. Kerr's proposal is different to that laid down in the rules; he wants to pay down twenty per cent. on purchase, and to pay the rest in instalments, extending over five years, and it is for Government to determine whether the rules should be relaxed in his favor or not.

5. No grazing land has been reserved on the Pulneys, the table land of which is an open waving grass country, and the residents on the hills run their cattle over the whole of the waste. If Mr. Kerr wishes to obtain the exclusive right to graze cattle on a certain quantity of land on the Pulneys, he should either purchase the land so required under the rules, or Government might let it to him on the same terms as ryots hold their lands, or at a certain rent per acre, to be fixed by Government, to be paid so long only as he keeps it under grass crop, and does not otherwise cultivate it, which might be fixed at four annas per acre. The rate paid by the villagers for dry land on the hills, is two fanams per cooly, or eleven annas and six pics per acre per annum. Government might, if so disposed, let the land required for grazing at that rate, Mr. Kerr holding it on the same terms as a ryot of the hill villages.

6. On the top of the hills, forests are rare, and of small area; but grass land waste, and the sole property of Government is procurable to the extent of many thousand acres.

1. Ordered that the foregoing letter be submitted to Government, with reference to Government Order dated 23rd November 1866, No. 3,208, Revenue Department.

2. There can be no doubt that a scheme, such as that suggested by Captain Kerr, would, if properly carried out, prove of very great benefit to the country; but the Board are not prepared to recommend any relaxation of the rules for obtaining waste land, without a substantial guarantee that such special conditions as Government may think fit to prescribe be exactly observed, or that the grant be resumed.

3. There can be no objection to allowing Captain Kerr to take up the 4,000 acres of arable land that he requires on the ordinary conditions of the Waste Land Rules, the total extent being broken up into blocks of 500 acres each, and sold by auction at the established upset price, on the understanding that the available land in the neighbourhood of existing villages, or of the station of Kodaikanal, must not be monopolized, and that rights-of-way and water are reserved.

4. The limited right of grazing only over a defined area of, say, 10,000 acres, might be given on lease for a term of years, at a rent of four annas an acre.

5. The terms of payment for the purchased land proposed by Captain Kerr, viz., twenty per cent. down, and the balance by instalments spreading over five years, instead of ten per cent. down, and the balance by instalments in three years as prescribed by the rules might be conceded, but as a condition of the sale and equally to all bidders.

No. 110. ORDER THEREON, 9th February 1867, No. 341.

Miscellaneous.

1. Captain Kerr will be informed in reply to his letter, dated 10th November 1866, that he can take up 4,000 acres of land on the Pulney Hills under the Waste Land Rules, the total extent being submitted for public auction in lots not exceeding 500 acres each, at the established upset price of Rupees 5 per acre for grass land, and Rupees 10 for forest land, and sold to the highest bidder at or above that price, the estimated cost of permanent demarcation and survey being deposited with the application, but finally adjusted with the purchaser in addition to the selling price.

2. The Waste Lands Sale Rules provide that ten per cent. of the purchase money shall be paid down on the sale being declared, and the balance in *three* yearly instalments with interest at six per cent. The Government will not, however, object to the proposed terms of payment, viz., twenty per cent. down within one month of the sale, and the balance in five yearly instalments, but these terms will be a condition of the sale, and offered to all bidders alike, and interest will be charged as provided in the Rules.

3. It must be understood that the available land in the neighbourhood of existing villages, or of the station of Kodaikanal, must not be monopolized in making the selection, and that rights-of-way and water are reserved.

Proceedings of the Madras Government, Revenue Department, 9th February 1867.

4. As regards grazing lands, Captain Kerr will be informed that there are no reserves on the Pulnis for this purpose, and that in common with other residents and settlers, he would at present be able to run his cattle over the unoccupied waste grass land, which is very extensive.

5. Should he desire to lease land for grazing only, the Government would be prepared to grant a fourteen years' lease for this limited right over an area not exceeding 10,000 acres, at 4 Annas per acre, annual rent, on the same reservation as to land in the neighbourhood of existing villages and of Kodaikanal, and as to rights-of-way and water as above stated, and reserving also power to Government to cancel the lease and resume any portion of the land which might be required for public purposes, or sought to be occupied for cultivation on Puttah by the villagers, or under the Waste Land Rules by intending settlers, in which last case Captain Kerr would of course be able to compete for it at auction.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To Captain W. A. Kerr, V. C., care of Messrs. J. A. Brown & Co., Bombay.
To the Board of Revenue.

Rxd. S. T. Augustin.

4. The limited right of grazing only over a defined area of, say, 10,000 acres might be given on lease for a term of years, at a rent of four annas an acre.

5. The terms of payment for the purchased land proposed by Captain Kerr, viz., 20 per cent. down, and the balance by instalments spreading over five years, instead of 10 per cent. down and the balance by instalments in three years as prescribed by the rules might be conceded, but as a condition of the sale and equally to all bidders.

(A true Copy and Extract.)

J. H. Baker

Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Collector of Madura.

Exd. J. Wright.

Revenue Depart
No. 341-

Proceedings of the Madras Government under date the 9th January 1867-

Read again letter from Captain D. A. Kerr, S. C. dated 10th and recorded in G.O. 23rd Novr 1866, No. 208-

Read also the following Proc: of the Bd of Revenue

Submitting with remarks letter from Collr of Madura reporting on proposal of Captain Kerr to take up 4000 acres of arable land in Palney Hills-

(Here enter 16th Jany 1866, No 285)-

Captain Kerr will be informed in reply to his letter, dated 10th November 1866, that he can take up 4,000 acres of land on the Palney Hills under the waste land rules the total extent being submitted for public auction, in lots not exceeding 500 acres each, at the established upset price of Rs 5 per acre for Grass land and Rs 10 for forest land - and sold

sold to the highest bidder above that price - the estimated cost of permanent demarcation, and survey being deposited with the application, but finally adjusted with the purchaser in addition to the selling price -

The Govt will not object to the proposed terms of payment, viz: 20 per cent down for the one month of the sale, and the balance in five yearly instalments, but the terms will be a condition of the sale and offered to all bidders alike - and interest will be charged as provided in the Rules.

In Crest Land Sale Lithographed list (as per chart) the land and Market paid down at the sale being Reclaimed & the Balance in four yearly instalments bearing 6 per cent

It must be understood that the available land in the neighbourhood of existing villages or of the station of Kodaikanal must not be monopolised in making the selection, and that rights of way and water are reserved -

As regards Grazing lands

lands, Captain Kerr will be informed that there are no reserves on the Cardamom Hills for this purpose - and that in common with other residents and settlers he would at present be able to turn his cattle over the unoccupied waste grass land which is very extensive -

Should he desire to lease land for grazing only, the Govt would be prepared to grant a lease for this limited right over an area not exceeding 10,000 acres at 4 annas per acre annual rent on the same reservation as to land in the neighbourhood of existing villages and of Kodaikanal - and rights of way and water as above stated - and reserving also powers

power to Govt to cancel the lease, and resume any portion of the land which might be required for public purposes, or sought to be occupied for cultivation on pattah by the villagers - or under the waste land rules by intending Settlers - in which last case Captain Kerr would, of course be liable to compete for it at auction -

1 Lo Capt W. A. Kerr Sec Camp Mergui
J. A. Brown Esq. Secy Darrang Dec 11 Feb
11 - Nil - Board of Rev S

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Enmd:
Average Extent of Tenasserim
54. Miles from E. to W.
15 — N. to S
270
5th
54.0 Sq. Miles × 640 acres.
538,600. Sq. Acres.

Area of Tenasserim (Harvard's figures)
as determined by the Boundaries
268,494. Sq. Acres.

6.

Revenue 1867 Dept
Proc of Govt for Feby

No: 341.

Proc of the Madras Govt
of 9th February 1867

Captain Kerr informed of
the Contractors under
which Land & Canal Na-
vigation is for Cattle-
breeding &c on
the Railways.

No: 109-110