

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	818	Press
		<i>Mis</i>
Dated	18-5-	1918

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
18th May 1867.

Read the following papers :—

No. 201. Proceedings of the Board of Revenue; dated 19th March 1867, No. 1689.

Read letter from E. G. R. FANE, Esq., Collector of Madras, to the Secretary to the Board of Revenue; dated Sydapet, 11th February 1867, No. 30.

I have the honor to submit, for the Board's information, that the Registrar of Assurances at Madras objects to registering the enclosed freehold certificate, unless it is altered as suggested in his letter to the Deputy Collector of Madras, copy of which is herein enclosed for the Board's perusal.

2. The Deed in question was prepared after the form furnished by the Government Solicitor, and approved of by the Government. It has been finally executed, and the seal of Government affixed thereon; any alteration in it now should, I think, be made only under the orders of Government, and I therefore request you will be good enough to obtain their permission to my sending the document to the Government Solicitor for the necessary alterations being made. As cases of this kind are, I imagine, likely to be numerous, I request I may be authorized to refer them as they come direct to the Government Solicitor to have the necessary alterations made.

ENCLOSURE No. 1.

From J. G. FERRAND, Esq., Registrar, to the Deputy Collector of Madras; dated Madras, 5th January 1867.

With reference to paragraph 2 of your letter, dated 22nd December 1866, No. 221, I beg to say that, unless the description of property in the Deed includes all the particulars required by Section 21 of Act XX of 1866, and paragraph 57 of the Rules published in the Judicial Notification by Government, dated April 24th, 1866, the Deed cannot under that Section be accepted for registration. No exception is made in respect to Deeds originally prepared by the Government Solicitor, and subsequently approved of by Government.

2. It should be mentioned in the Deed received with your letter, (which is herewith returned, with the copy of the plan) whether the immoveable property is in the first or second Police Division of Black Town, and the present and former occupancies should be specified; and the property being in a town, if it includes a house, the number should be given if the houses in the street are numbered.

(True Copy.)

(Signed) E. G. R. FANE,
Collector.

ENCLOSURE No. 2.—Freehold Certificate.

1. Resolved that the foregoing letter be submitted to Government with the following remarks.

2. The Board observe that the description of the premises, contained in the Deed and Plan, appears to comprise all that is required in Section 21 of Act XX of 1866. The only defect is, that the premises are described as being in "the village of Black Town," instead of in one of the Police divisions, as required by No. 57 of the Registration Rules.

3. The Board would beg to suggest that it is more desirable to adhere to the old and well known territorial divisions of the town which are recognised and perpetuated in the recent Survey, than to introduce the mere administration allotment

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18th May 1867.*

into Police divisions, which is liable to be altered from time to time to suit Police convenience and necessities.

4. If the rule now brought to notice be followed, moreover, a very large number of Title-deeds will require alteration, and the Board would, therefore, recommend that the rule be altered, and the old classification adhered to.

5. In case Government should not see fit to accede to this proposal, the Board request instructions as to how these cases are to be dealt with.

(True Copies and Extract).

(Signed) R. A. DALYELL,

Secretary.

To the Secretary to Government, Revenue Department.

Transferred to the Judicial Department.

(Signed) W. HUDLESTON,

Secretary to Government.

23rd March 1867.

Referred to the Registrar General of Assurances for his remarks.

FORT SAINT GEORGE,

29th March 1867.

(Signed) A. J. ARBUTHNOT,

Chief Secretary.

No. 202. From Major R. M. MACDONALD, the Registrar General of Assurances, Madras to the Chief Secretary to Government, Fort Saint George; dated Madras, 1st April 1867, No. 43.

I have the honor to submit the following remarks, with reference to the accompanying Proceedings of the Board of Revenue, dated 19th March 1867.

2. When framing the new Registration rules I placed myself in communication with Colonel Temple, late President of the Municipal Commission, and adopted as the territorial divisions of Madras the divisions named in the second column of the accompanying printed statement, which contains a census of the population of Madras furnished to the Municipal Commissioners by their Assessor. I was under the impression that these were well defined divisions, perfectly known to the public, and regarding which no doubts or difficulties were likely to arise. The Board of Revenue are mistaken in supposing that I have introduced into Rule 57 the mere administration allotment into Police divisions, which is liable to be altered from time to time to suit Police convenience and necessities. There are only seven Police divisions, whereas there are 36 villages. The rule is based on the latter not on the former division. It is true that in four out of 36 divisions the Police divisions have been referred to. That portion of Madras, which is commonly called Black Town, consists in reality of two villages which are known to Natives as Peddu Naik's Pettah and Moottiallapettah, and as this natural division of Black Town into two parts seemed to be recognized both by the Municipal Commissioners and the Police, I added the words "First Police Division or" and "Second Police Division or." The Police divisions were added in brackets in two other cases for a different reason. There are two Cosapettahs, and I thought it advisable to distinguish the one from the other by adding the words (6th Police Division) to the one which stands 27th on the list, and the words (7th Police Division) to the one which stands 32nd on the list; but I introduced no changes of any kind into what I understood to be the existing divisions of Madras.

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3. Mr. Ferrand states that he has found no difficulty in carrying out the rule.

4. The form furnished does not seem inconsistent with the rule, as all that is required is to insert the words "East or West portion of" in the column headed Village. It may be observed, however, that the present and former occupancies are not given as required by Section 21 of Act XX of 1863, and that a change in the rule, if considered necessary, will not remove this flaw.

5. The usual practice in all such cases has been to append a Schedule under Rule 59, containing any particulars which have been omitted.

No. 203.

ORDER THEREON, 18th May 1867, No. 818.

As it appears from the explanation afforded in paragraph 2 of the Registrar General's letter dated the 1st ultimo that the portion of Madras known as "Black Town" consists in reality of two villages, viz., "Peddu Naik's Pettah" and "Moottiallapettah," and that these names are familiar to the Native inhabitants, the Governor in Council directs that the names of the villages be incorporated in Clause 57 of the Rules published on the 24th April 1866. The Registrar General will accordingly submit a revised copy of Clause 57 for publication in the *Gazette*. This arrangement will apparently meet the suggestion made in paragraph 2 of the Proceedings of the Board of Revenue, dated the 19th March last.

2. It is observed from paragraph 5 of Major Macdonald's letter that the information necessary for the registration of the Certificate referred to in the above Proceedings may be easily supplied by a Schedule. This should have been stated by the Registrar of Madras in his letter to the Deputy Collector, dated the 5th January last, and the delay which has been occasioned in the registration of the Certificate obviated.

(True Extract).

Chief Secretary.

To the Revenue Department, with Certificate.

„ Registrar General of Assurances, with Statement.

Exd. J. Tulloch.

Judicial Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following papers,

Proceedings of the Board of Revenue (H.C. enter 17th March/67 No. 1689)
From the Registrar General's Office — 1st April — 48

Order thereon 18th May 1867 No. 818.

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96
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The Revenue Dept - with Certificate }
Reg. Genl of Assurance - with } decd 23/5
Statement

Handwritten notes and signatures at the top of the page.

Admiral 1833. Department.

No. 210.

PROCEEDINGS OF GOVERNMENT.

Ch. 1292.

Dated. 18 May 1833.

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*C 14 May.
1833.*