

(1) Number of pages 10

(2) Date of repair _____

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. <i>2664</i>	Press Mis. —
<i>117-118</i>	
Dated <i>5. 11.</i>	<i>1862.</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
5th November 1862.*

No. 117. Read the following Proceedings of the Madras Government in the Revenue Department, dated 29th October 1862, No. 2,309 : —

Declining to recognize Mr. Merrill's claim for a permanent } (Vide Revenue Proceedings, 29th October 1862,
Title Deed for the land at Bezoarah on which he was } Nos. 377-378.)
permitted to build a house.

No. 118. ORDER THEREON, 5th November 1862, No. 2,664.

Communicated to Mr. E. E. Merrill, through the Deputy Chief Engineer, Northern Circle, with reference to his letter dated 6th August 1862.

(Signed) W. I. BIRDWOOD, Colonel, R. E.,
Secretary to Government.

No 271

Kistna District Engi.
neers Office - Bezarah
14 July 1862

From Major J. C. Anderson
District Engineer Kistna
To J. A. Majoribanks Esqrs
Deputy Collector Kistna
for Collector

Sir,
In reply to your letter
No- dated 27th ultims, giving cover
to a Copy of a letter to your
address from Mr. Messall in
which he requests that his
tenure of his house, and Compound
at Bezarah may be converted
into a permanent holding, I have
the honor to inform you that
there are strong objections &
against compliance with Mr. Messall's
request -

2 The house is situated on
the

the embankment of the Masu:
lipatan Canal. It was, to the
best of my belief, allowed to be
constructed on the site, on the
express understanding that in
the event of the building having
to be removed or injured for
Government purposes, the loss
would rest with the owner, and
not with the Government.

3 I do not anticipate that
any interference with the house
will be necessary, and I lately
recommended that it should be
purchased by Government and
converted into a soldiers' rest
house. But, notwithstanding
this, contingencies may arise,
which I do not foresee, and
if at any future time, the
removal

There is now the slightest probability
for a large extension being
E.C. Anderson

removal of the Building should
be considered necessary, the
possession of title deeds would
entitle the owner to demand of
compensation for the loss.

I have ~~seen~~
Signed / J. C. Anderson
Major
Dist. Engineer
(True Copy /

Wm. Bell
Collector

Hyd. J. B. Bannha
H.C.

No 172 Nistna District Collector
 Circuit Back at Doozy
 2nd July 1862

From G. Thornhill Esqre
 Collector of Nistna District
 To E. E. Merrill Esqre
 District Engineer
 Bellare.

In reply to your letter of the
 30th April last, I have the honor to inform
 you that the Tahsildar of Bogoarak Taluq
 has reported to me that the yearly Cist
 due for the ground occupied by your
 garden and Bungalow at Bogoarak
 amounts to Rs 2-13-2 as shown in

	Cist	
Garden	1-32-7-1-14-8	
Bungalow	"-32-5-"-11-6	
	<u>2-24-12</u>	<u>2-13-2</u>

the margin
 agreeably to your request

I have written to Mr. Darling
 to pay into the Tahsildar's Treasury at
 Bogoarak the 20 year purchase money
 for redeeming the Cist in question,
 amounting to Rspees 56-7-4 as per

Recd 32nd 7/62
 1862/80/1
 Recd 2/289/62
 In a letter from
 the Collector of
 Nistna District
 dated 10th July 1862
 Mr.
 P. N. 2409/62
 Recd 2/289/62
 Copy of a letter
 from the District
 Engineer Bogoarak
 dated 14th July 1862
 On 17th 6552 of 1862
 No 3 July 1862

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particularized in the margin. on the receipt of the same, I shall prepare a Title Deed, and submit it to the Board for the Government Seal.

I have the honor to be
 your most obedt servt

For D. M. M. S. Clerk

J. M. M. S. Collector

The Garden land at No. 1. 14. 8. 2 years - 38. 5. 4
 The Bangalore land at No. 14. 6. 2 years - 18. 2. 1
 Total. 56. 7. 5

Oct. 32 12 1/2 1/2

17th Nov 1862

W. H. B. B. B.

To the Collector

Collector Bangalore

Collector

Collector

Collector

Collector

Collector

Collector

Collector

Collector

Collector

Collector

Collector

Jan 6 1862

Jan 6 1862

No. Krishna District Collector's
 Kacheri at Masulipatam
 10th July 1862.

From J. Thornhill Esq^r
 Collector of Krishna District
 To E. E. Menall Esq^r
 District Engineer
 Dowlaishwaram

Sir
 With reference to your letter of the 30th April last, applying for a title deed for your Bangalore and Bangalore at Bangalore. I have the honor to forward herewith copy of a letter from the District Engineer, and, under the circumstances therein stated, am unable to allow your tenure of the house and compound in question to be converted into a permanent holding. The 20 years' purchase money already paid by Mr. Darling will be refunded to him. I have the honor to be
 Your most obedient servt

J. M. M. S. Collector

By J. M. M. S.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of the Board of Revenue, dated 21st October 1862 :—
Read the following letter from Lieutenant-Colonel C. A. ORR, R. E., to W. HUDLESTON, Esq.,
Secretary to the Board of Revenue, dated Mint, 18th October 1862, No. 19.

SIR,

- 1 Order of Government, Public Works Department.
1 Letter from the District Engineer, Kistna.
1 Do from the Collector of Kistna District.
1 Do. from do. do.

I am acquainted with them, Mr. Merrill was permitted to build a house on the embankment of the channel at Bezoarah, I have the honor to state that I have a perfect recollection of having given Mr. Merrill clearly to understand that, although I did not take any measure to prohibit his placing his house on the site he had selected, there were great objections to his occupation of it, and that if he built on it he would do so entirely at his own risk, as the ground had been obtained for the use of the channel and might at any time be required for its enlargement.

2. If, as Mr. Merrall mentions, the Collector has granted a permanent title to the ground on which the Bungalow lately in the possession of Dr. Nash stands, I think he has committed a mistake. That Bungalow was originally built by Captain Chambers for his temporary accommodation, and I believe he never for a moment anticipated retaining the site as a permanent holding, because he was well aware that an early enlargement of the channel was necessary, and that his occupation of any length of the embankment would be a serious obstruction to the execution of the work.

3. All the land required for the channels, including of course the space occupied by their embankments, or by the earth excavated for their formation, was obtained under Act XX of 1852, and was formally placed for that special purpose in the possession of the District Engineer. I am therefore at a loss to understand how the Collector could allot any portion of it to other purposes, or grant it away to private parties in perpetuity. If he could assign away a part, he could the whole, and it is obvious that as the channel could not then be completed, the object for which the land was obtained under the Act would necessarily be defeated.

4. The inference Mr. Merrall draws from the circumstance of my having sold to Government the Bungalow which I built near the Lock at Bezoarah is entirely erroneous. That Bungalow was erected on a very small triangularly shaped piece of ground, which is enclosed between the massive masonry walls connecting the Head Sluices with the Lock, and therefore occupies a site where it interferes, and can interfere with nothing. Being conveniently situated with respect to the District Engineer's Office and Workshops the Bungalow was a very desirable acquisition to Government, and was accordingly purchased from me for the price put upon it by the Engineer's Department without reference to the value of the ground, to which I never asserted any claim.

1. Ordered to be submitted to Government, with reference to their Order, No. 2,198, Revenue Department, dated 11th October 1862.
2. Under the circumstances stated by Colonel Orr, and in view of Major Anderson's opinion, the Board consider that the grant of a permanent Title Deed would be very objectionable.
3. The purchase of the building by Government for a Soldier's Rest House would of course in no way preclude them from dealing with it and its site, as circumstances might render necessary, so that Major Anderson's recommendation of the purchase would have been in no way inconsistent with his present objection.
4. The Board resolve to call on the Acting Collector to report what occurred in the matter of Dr. Nash's Bungalow to which Mr. Merrall alludes.

(A true Copy and Extract.)

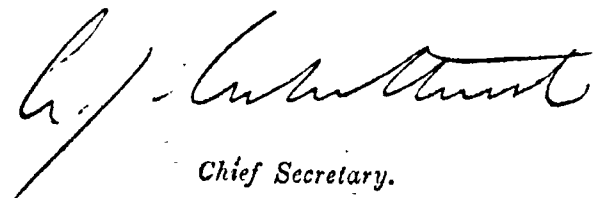
(Signed) W. HUDLESTON, *Secretary.*

[illegible]

ORDER THEREON, 29th October 1862, No. 2,309.

The Government concur with the Board of Revenue in the view they have taken of Mr. Merrill's claim for a permanent Title Deed for the land at Bezoarah on which he was permitted to build a house.

(True Extract.)


Chief Secretary.

To the Board of Revenue.

„ Public Works Department. v

with 4 Orig. Encl.

Exd. T. McMootry.

P. M. 1862 & Johnson
Pro of Spitz for above
@ No 3292

P. M. 1862 & Johnson

Pro of Spitz for above

Red 31 1862

Red 31 1862

Returning to me

the above claims for
a permanent title deed
for the land at the point
mentioned he was permitted
to build a house.

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Communicated to Mr. B. B.

Memorandum, the Deputy Chief
-quies Northern Circle, with
reference to his letter dated 6-18

August 1862.

the same to
5th November 1862

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