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(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.**Government of Madras.****DEPARTMENT.**G.O. No. 117Press
Mis.

Dated _____

18

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
22nd July 1865.*

No. 580. Read the following Proceedings of the Madras Government in the
Revenue Department :—

Passing orders on letter from the Collector of Malabar, relative to the conditions on which Ali Rajah proposes to dispose of the land required for the site of the new Powder Magazine at Cannanore. (Here enter 15th July 1865, No. 1,634.)

No. 581. ORDER THEREON, 22nd July 1865, No. 2,117.

MILITARY WORKS, No. 43.

No. 1,398, dated 23rd May 1865.

Communicated to the Superintending Engineer, 7th Division, with reference to the Orders noted in the margin.

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 7th Division.
,, Controller of Public Works Accounts.

Exd. S. T. Augustin.

*Proceedings of the Madras Government, Revenue Department,
15th July 1865.*

No. 267. Read the following letter from G. A. BALLARD, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Acting Secretary to Government, Revenue Department, Fort Saint George, dated Calicut, 1st July 1865,
No. 85 :—

SIR,

From Govt. 16th December 1863, No. 2,314.
To do. 5th March 1864, " 21.
From do. 14th April " 629.
To Board of Revenue, 1st June 1864, No. 126.
From do. 17th " " 3,690.
To do. 18th July " " 170.
From do. 29th " " 4,837.
G. O. 27th July 1864, No. 1,347, received with Board's order, dated 29th idem, No. 4,851.
G. O. 16th August 1864, No. 1,478, received with Board's Order, dated 18th idem, No. 5,319.
G. O. 10th November 1864, No. 2,060, received with Board's order, dated 16th idem, No. 7,493.
G. O. 5th December 1864, No. 2,199, received with Board's order, dated 7th idem, No. 7,843.
G. O. Public Works Department, 23rd May 1865, No. 1,398.

1. Adverting to the correspondence noted, I have the honor to report that the Acting Sub-Collector informs me that Ali Rajah declines receiving pecuniary compensation for the portions of his land in Cannanore, which it is necessary to take up for the site of the new Powder Magazine. He, however, says that as he cannot get equivalent land in exchange " he willingly and cheerfully offers them " (the perambas or gardens required) for " the kind acceptance of the British " Government in deference to its requisition, without requiring the price " thereof."

2. Ali Rajah, however, requests,

Firstly.—That the indemnity money payable by Government to the out-going tenants may be paid them through him; and

Secondly.—That the trees planted by the tenants, which Government decided should be allowed the out-going tenants as an act of grace over and above the ordinary compensation, be made over to him instead of to the tenants, as otherwise a precedent may be established which may cause inconvenience in his dealings with other tenants hereafter.

3. The total amount estimated as payable to both Jenmis and tenants, and sanctioned in Government Order, dated 23rd May 1865, No. 1,398, is Rs. 10,576-12-1. Of this Rupees 7,058-3-6 was payable to the former, and Rupees 3,518-8-7 to the latter. The value of the trees that it was intended to make over to the tenants, and which Ali Rajah now desires, is estimated by Mr. Garstin at about Rupees 4,000. The tenants would prefer their value in money.

4. I think, therefore, that both Ali Rajah's requests may be complied with,

Firstly.—The compensation money can be paid to his Manager by the Sub-Collector, who will see that it is handed over at once by the Manager to the tenants.

Secondly.—The trees can be made over to Ali Rajah as he wishes, and their value can be paid from the Rupees 7,058-3-6 that would have been paid Ali Rajah had he desired payment.

This will still leave some Rupees 3,000 under the total amount of the estimate unexpended.

As every thing is ready for Settlement, I solicit the immediate sanction of Government to this course.

*Proceedings of the Madras Government, Revenue Department,
15th July 1865.*

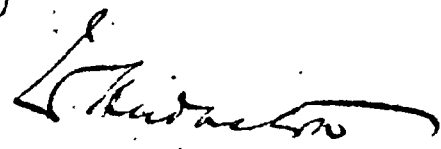
No. 263.

Miscellaneous.

ORDER THEREON; 15th July 1865, No. 1,634.

1. The Government are not satisfied that they are competent to act in the manner recommended by the Collector, even if it should ultimately be deemed expedient to do so. They observe that that Ali Rajah's claim to be Jenmikar of the whole of the land is disputed, and that the Collector in his letter, dated 1st June 1864, to the Board of Revenue (G. O. dated 20th idem), recommended that the land should be taken up under Act VI. of 1857.
2. In G. O. dated 21st July 1864, Military Department, it was directed that if private negotiation failed, the necessary steps should be taken in the Revenue Department, so soon as sanction for the purchase had been received, and in his letter, dated 21st October 1864, the Collector reported that "all preliminary arrangements for acquiring the land under the Act" had been taken, its acquisition by private bargain being impracticable.
3. In G. O. 23rd May 1865, Department Public Works, the transfer to the Collector of the necessary funds was sanctioned on the Superintending Engineer's application, and the Collector now proposes to conclude the arrangement by accepting the land from Ali Rajah in free gift, and employing part of the sanctioned price in giving special compensation to the out-going tenants for their improvements.
4. If Ali Rajah is not the lawful proprietor of the land, his gift of it would not be valid in law, and it does not appear that the requirements of Act VI. of 1857 have been fulfilled so as to enable the Government to deal with the land, leaving the purchase money in deposit till the title to the land is decided. Moreover, until the title is decided, the sanctioned purchase money cannot be employed in the manner proposed by the Collector, as it may eventually be found necessary to pay the proprietors of the land the price settled under the Act. The Collector must report further on the subject.
5. Should the Notification prescribed by the Act not have been published, and the Government cannot trace any order for its preparation or any report giving the necessary information, the Collector will at once send up a draft Notification, with the necessary description of the land concerned, to allow of the Act being applied.

(True Extract.)


Acting Secretary to Government.

To the Collector of Malabar.
.. the Board of Revenue.
.. the Military Department.
.. the Public Works Department. ✓

Exd. S. T. Augustin.

2117
Sep 21 17

Communicated to the Super-

tending Engineer the Division

1998 dated with reference to the order dated
23rd May 1865
in the original

Stanley George &
22nd July 1865

AB

To the Superintending Engineer
at Division
Contractor of the Government

CR. MB

Recd 24th July

11/12

17.
No 1565 Depue
Pro. of Govt for July
No 1543.

No. of Govt in the
Rev. Depue

2/15-3 July/65
Rec 183

No 1634

Coping orders
on letter from the
Govt of Malabar
relative to the con-
-ditions on which the
Rajah proposes to
dispose of the land
required for the site
of the new Powder
Magazine at loan
-naul -

With an order

no 2117-22nd July 1865

No 550-581