Archives I—10,006—16-8 77.

(1) Number of pages 53 + A statements

(2) Date of repair 28.1.87

(3) Initials of the Referencer Cvg

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

P.W DEPARTMENT

G.O. No. B.P. No.	2130 W	Press. Mis.
Dated	26.8.1881	~~197~~ .

Not to be folded or roughly handled

2130/1

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

26th August 1881, No. 2,130 W.

Buildings and Roads.
Civil Works.

Read again—

No. 106. Proceedings of the Madras Government in the Public Works Department, dated 23rd May 1881, No. 1,319 W.

Endorsement of the Secretary to Government, Revenue Department, dated Ootacamund, 2nd May 1881, Miscellaneous No. 1,179.

Read the following Proceedings of the Board of Revenue, dated 13th April 1881, No. 666.

From R. W. BARLOW, Esq., Acting Collector of Madras, to the Secretary to the Board of Revenue, dated Madras, 30th March 1881, No. 116.

WITH reference to the Board's Proceedings, Miscellaneous No. 14,285, dated 27th December last, I have the honor to submit the report called for in G.O., No. 4,195, of the 22nd idem.

2. To enable me to deal satisfactorily with paragraph 3 of the G.O., No. 2,823 W., dated 7th December 1880, it was necessary, as I have already told the Board (*vide* my docket No. 31, dated 31st January 1881), to take actual measurements, as well as to make reference to certificates, surveys, &c., and the extents of the properties named by the Superintendent of the Harbour Works have been so ascertained, and distinguished under the following heads, which took some considerable time, and hence the delay in the submission of this report :—

(1.) The original extent of the properties as ascertained from their certificates, &c.

(2.) The extent encroached upon by the sea up to 1862—the year of the general survey of Madras—owing to natural causes.

(3.) Extent submerged in the interval between 1862 and 1876,* the year when the Harbour Works were commenced, which is also due to natural causes.

(4.) The extent submerged since the commencement of the works, which is all that can be due to the harbour ; and, lastly,

(5.) The extent of the land that it is now proposed that Government should acquire.

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* The position of the sea line in this year was furnished by the Superintendent of the Harbour Works. *Vide* Enclosure (A).

3. I enclose a statement (B) showing the extent under the different heads above, and also a plan (C) giving the position and the boundaries of the several landed properties comprised in the strip, as well as the high water line of the sea in 1862 (the year of the survey of the Tondiarpett division, in which the strip named is situate); the high water mark again in 1876; the year of the commencement of the Harbour Works, and the same in 1880.

4. As regards tenure, the Deputy Collector reports that nearly all the lands are certificated property now; some, however, were grants held on special conditions as to payment of fines, terminability, &c., but were converted, or are convertible, into ordinary certificates under the orders of Government passed on the recommendation of the Board in their letter to Government, No. 276, dated 2nd July 1829. The Government Order itself cannot be found in the records of this office, but such has been the practice, and I enclose extract from the Deputy Collector's No. 319, dated yesterday, on this point.

5. The encroachment on the several properties from the year of the commencement of the Harbour Works up to now has been ascertained with the help of the tracing (A) above alluded to, furnished by the Superintendent of the Harbour Works, showing the amount of shore eroded between September 1876 and September 1880, and this, as above remarked, together with the extent of land now to be acquired, is all that the owners can claim compensation for. The extent comprised under these two items has been valued carefully, after consulting the prevailing market rates for lands in the neighbourhood, and is shown in column 17 (B). Side by side is also given in this statement the value demanded by the owners (column 16). A few of the proprietors have declined to fix any value for their lands, and in such cases the market rates prevailing in the neighbourhood have been adopted.

6. Some of the plots of land are covered by substantial buildings of ascertainable value, and this Department's estimates being nonprofessional I would suggest that an officer of the Department of Public Works may be directed to check the same, as the valuation of buildings by Revenue officials have been often challenged in the Courts, when such cases under the Land Acquisition Act have been referred for adjudication.

7. Trees, where existing on any of the properties, have also been carefully estimated, and the total value of the extent to be paid for on account of the erosion of the sea, as due to the Harbour Works, and of that now proposed to be acquired for the works, may be set down at Rs. 50,000 in round numbers.

8. Adding, however, to the above figure 15 per cent. compensation, Section 42, Act X of 1870, and allowing for possible difference between this Department's estimate for buildings and that to be hereafter prepared by the professional officers, I think a provision of Rs. 70,000 under all heads will be sufficient.

9. It will be observed that in arriving at these figures, I have treated the whole of the encroachment, since 1876, as due to the Harbour Works, whereas, as pointed out by Mr. Thorowgood, it is quite true that the erosive action of the sea had shown itself prior to the commencement of these works, and probably would have continued without their construction, though the works have, in my opinion, accelerated such action. But how much would have taken place had the Harbour Works not been commenced, or in other words, to what *extent* the harbour is responsible for the actual erosion, is a point on which I must confess myself unable to give any satisfactory opinion. The Government have before them what must have been the high water line for a portion of this property in 1802, as ascertained from the measurements given in the certificate; they have also the high water line for the whole in 1862 and again in 1876 and 1880, *vide* plan C, and will see that though erosive action was taking place prior to 1876, such action has been more rapid since that date, which is attributable to the Harbour, and a Civil Court would doubtless take into consideration such previous erosion when assessing the damage ascribable to the Harbour, and in deciding the value of the lands adjacent to the present high water line.

10. The plan D, received with the Government Order, is herewith returned.

From A. SUDARSHANA ROW, Acting Deputy Collector of Madras, to the Acting Collector of Madras, dated 29th March 1881, No. 319.

* * * * *

3. All grants granted by Government are restricted to 99 years, and under one of the conditions of grants a penalty has to be collected at an end of every thirty years from the holders of grant lands, but both the above conditions are not observed and enforced under orders* of Government.

* Not to be found.

* * * * *

SUBMITTED to Government, with reference to G.O., 22nd December 1880, No. 4,195.

2. The Collector's valuation appears to have been made upon a sufficiently liberal scale, and the demands of many of the claimants are obviously extravagant. Mr. Barlow states that he has been unable to calculate the probable normal effect of the erosive action of the tides since the commencement of the works, and he accordingly proposes to allow full compensation for the advance of the high-water mark since 1876.

3. The Board agree with the Collector in thinking that the valuation of buildings should be made by a professional officer.

4. Referring to paragraph 4 of the letter and to the correspondence between the Government and the Board alluded to therein regarding grants of the kind under consideration, it is observed that, in 1834,* the Government resolved to forego altogether their demand on account of "reserved and further reserved rents on Government grants."

* E.M.C., 5th September 1834.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

TRANSFERRED to the Public Works Department with copies of the undermentioned papers on the Government records, with reference to that department G.O., dated 7th December 1880, No. 2,823 W:—

1. From	the Board of Revenue,		2nd July	1829,	No.	276.
2. To	do.	do.	7th August	"	"	549.
3. From	do.	do.	22nd do.	1831,	"	415.
4. From	do.	do.	17th Dec.	1832,	"	438.
5. From	do.	do.	28th August	1834,	"	352.
6. To	do.	do.	5th Sept.	"	"	784.

(Signed) C. G. MASTER,
Secretary to Government.

RENENUE DEPARTMENT.

From the Secretary to the Board of Revenue, to the Chief Secretary to Government, dated Fort St. George, 2nd July 1829, No. 276.

I AM directed by the Board of Revenue to request that you will submit to the Right Honorable the Governor in Council the accompanying letter from the Collector of Madras, and to state that the Board concur in his recommendation that the demand of Government on account of reserved and further reserved rent, stipulated for in the old grants, be remitted.

2. In the old form of grant, which was for the term of ninety-nine years, it was stipulated that the holder of the land leased thereby, besides the annual rent, the amount of which depended upon the extent of the land, should at the expiration of every thirty years of the term pay to the Company the fixed sum of thirty pagodas, and at the expiration of the term of ninety-nine years the fixed sum of one hundred pagodas, whatever might be the extent of the land. In the new deed these reservations are omitted, and nothing is demandable for the lands held under them but the annual rent settled according to the extent of land. As these reservations form a very unequal tax, and frequently are more than the parties can afford to pay, as they must be insignificant as a source of revenue, and as they are given up for the future whenever a certificate in the

new form is taken out in place of old grant, the Board think it expedient that they be at once remitted generally.

REVENUE DEPARTMENT.

To the President and Members of the Board of Revenue, dated Fort St. George, 7th August 1829, No. 549.

I AM directed to acknowledge the receipt of your Secretary's letter of the 2nd ultimo, No. 276. In order to enable the Government to form an opinion as to the expediency or otherwise of giving up the reserved and further reserved rents of the old grants, the Right Honorable the Governor in Council desires that you will call upon the Register of Government Grants to furnish a statement exhibiting the amount now due and demandable on these instruments, and the proportion thereof payable by parties who have the means of fulfilling the conditions of the grants which they hold. With this statement you will be pleased to transmit a printed form of the old grants and one of those now in use, with a memorandum of the rate of quit-rent leviable under each.

REVENUE DEPARTMENT.

From the Secretary to the Board of Revenue, to the Chief Secretary to Government, dated Fort St. George, 22nd August 1831, No. 415.

7th August 1829.

15 in Con., 18th July 1831.

WITH reference to the letter from Government noted in the margin, I am directed by the Board of Revenue to request that you will submit to the Right Honorable the Governor in Council the accompanying letter from the Collector of Madras, with two statements of reserved and further reserved rents demandable upon grants for land at Madras and in the Provinces respectively, and three printed forms.

2. The statements appear to show the *proportions* of the reserved and further reserved rents entered in all the grants extant, calculated up to the 11th July 1829. But, it is to be observed, that if the original grant is not renewed no part of the reserved rent is demandable until after the expiration of every thirty years of the term of lease, and no part of the further reserved rent is demandable until the expiration of the full term of ninety-nine years. Therefore the amount shown under the head of "reserved and further rents," respectively, cannot be considered as due at the date to which the statements are made up. By the terms of the lease it is not stipulated that the proportion of reserved and further reserved rents due at the time of a transfer, calculated according to the number of years the lease has run, shall be then payable, but it is the practice to demand it when a transfer is made agreeably to a notification published in April 1814.

From Collector 2nd April, in Con., 7th April 1814.
To do. 7th do.

REVENUE DEPARTMENT.

From the Acting Secretary to the Board of Revenue, to the Chief Secretary to Government, dated 17th December 1832, No. 438.

To the Chief Secretary, 2nd in Con., 2nd July 1829.
From do. 7th in Con., 10th August.
To do. 22nd in Con., 22nd August 1831,

In Con., 11th October 1832.

WITH reference to the correspondence noted in the margin, I am directed by the Board of Revenue to request that you will submit for the orders of the Right Honorable the Governor in Council the accompanying letter from the Acting Collector of Madras and Register of Government Grants, dated 6th October last.

2. The old form of Government Grant, which was of the nature of a lease, being considered
inapplicable and otherwise open to objection, the new form which is now in force was prepared
by the late Advocate-General Mr. Compton, and in it the stipulations contained in the old form
in respect to the payment of reserved and further reserved rents were omitted, nothing being
demandable for the lands held under the new deed, but the annual quit-rent settled according to
the extent of land. As the several rents under the old grants form a very unequal tax, and are
insignificant as a source of revenue, and as they are given up for the future whenever a certificate
in the new form is taken out, the Board recommended that they should be relinquished generally.
Before passing orders on the subject the Government desired that statements of the reserved and
further reserved rents of the old grants should be laid before it. In submitting them for the
information of the Right Honorable the Governor in Council, under date the 22nd August 1831,
the Board observed that the amount shown therein could not be considered as due at the dateto
which the statements were made up, as by the terms of the lease the reserved and further reserved
rents are not payable till the expiration of periods 30 and 99 years respectively.

2130/3

3. In the case now referred by the Acting Collector, it appears that Messrs. Arbuthnot and Co., having purchased some ground within the limits of Madras held under a Government Grant, applied to have it renewed in their own name, that the old deed was accordingly cancelled in the proper registers and a new one prepared, but that on Messrs. Arbuthnot and Co. becoming aware that they should be liable to the demand of the reserved and further reserved rents "exceeding," as they state, "20 per cent. of the value of the property," they have objected to pay the same, and request that the old grant may be returned to them. Applications for exemption from these fines have from time to time been made by individuals on the renewal of their grants, which, together with the case now submitted by the Acting Collector, will be subject to the decision that may be passed by Government on the general question.

REVENUE DEPARTMENT.

From the Secretary to the Board of Revenue, to the Chief Secretary to Government, dated Fort St. George, 28th August 1834, No. 352.

A REFERENCE having been made by the Collector of Madras on the subject of reserved and further reserved rents, I am directed by the Board of Revenue to request the orders of Government on the question of the relinquishment generally of the demand on account of reserved and further reserved rents stipulated for in the old form of Government grants, as referred to in the Board's letters of the 22nd August 1831 and 17th December 1832.

No. 784.

HAVING taken into consideration the letters referred to in the above communication, the Governor in Council observes that the practice which has prevailed of demanding payment of a proportion of the reserved and further reserved rents according to the number of years that the grant has been in force, whenever a renewal of it is required in consequence of a transfer, appears to be quite illegal, as by the terms of the grant those rents are not payable till the expiration of periods of 30 and 99 years respectively. It is quite fallacious to state the present demand as it is done in the statement prepared by the Collector of Madras as Register of Government Grants, submitted by the Board in their letter dated the 22nd August 1831, wherein, if the grant has run for 20 years, the whole term being 99 years, the sum of 20 pagodas is entered as due in part of 30 pagodas, the reserved rent payable at the expiration of the first 30 years; and a further sum of 20 pagodas as due in part of 100 pagodas payable at the expiration of the full term. The average annual revenue from these reserved rents payable at such distant periods must be very inconsiderable, and as they form a very unequal assessment, being the same for 50 cawnies as for 1, and the demand is omitted in the new grants which are issued when lands are transferred, the Governor in Council deems it expedient to remit them altogether.

Resolved accordingly that the Board of Revenue be instructed to direct the Collector of Madras not to make any further demand on account of reserved and further reserved rents on Government grants.

FORT ST. GEORGE,
5th Sept. 1834.

(Signed) D. ELIOTT,
Officiating Secretary to Government.

THESE papers will be referred to the Superintendent of the Madras Harbour Works for any remarks he may wish to offer, and with a view to the valuation of buildings referred to by the Collector in paragraph 6* of his letter No. 116, dated 30th March 1881.

2. Should the Superintendent of the Harbour Works be unable to have the valuation made by the establishment at his disposal, application should be made to the Superintending Engineer, First Circle, at Madras.

Board's No. 1,319 W., dated 23rd May 1881.

(True Extract.)

(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

Read also—
Letter from AUDENAIRRAINSAWMY NAICK, dated 2nd July 1881.

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* *Vide* paragraph 3 of Board's Proceedings, No. 666, dated 13th April 1881.

No. 106-A. From F. N. THOROWGOOD, Esq., M. INST., C.E., Superintendent, Madras Harbour Works, to the Secretary to Government, Public Works Department, dated Madras, 10th August 1881, No. 33 W.

I HAVE the honor to submit a few remarks upon the papers which were sent to me with G.O., No. 1,319 W., of 23rd May, and to return them* herewith as directed. I regret that my absence from Madras on leave should have delayed the submission of my reply to the order abovenamed.

* Plans marked A, C and D.
Statement B.
Correspondence with Revenue Board.

2. Mr. Barlow, in his letter to the Board of Revenue, No. 116 of 30th March, has placed the whole matter so clearly that there remains little for me to remark upon. The fact of the continued erosion from 1862 to 1876, as shown in the plan marked C, is proof positive that the Harbour Works are not wholly responsible for the waste of land to the north, and to this I have already called attention in my letter to Government on which G.O., No. 2,823 W., of 7th December 1880, was passed. Mr. Barlow has also drawn attention to this in paragraph 9 of his letter.

3. I have carefully examined the statement 'B' accompanying Mr. Barlow's letter, and have measured and valued all the buildings referred to. In most cases my estimate of their value is higher than that given by the Revenue Inspector. I submit herewith a list of the values of the buildings as I estimate them, and it should be compared with the column marked "Buildings," Section No. 17, in the statement of the Collector of Madras.

4. I would remark that in the event of the stone revetment being carried up northward to the Saw Mills, the shore along that length of the coast will become useless as a timber depôt or even as a fishing station, and its value will consequently fall away.

From the same officer, dated Madras, 11th August 1881, No. 34 W.

I HAVE the honor to return, herewith, the petition of Audenairrainsawmy Naick, bearing your endorsement No. 277, 14th July 1881.

2. With reference to the petitioner's complaint that his claim was more slowly taken up than that of Mrs. Sadler, to whose claim he refers, it should be borne in mind that her claim was preferred in November 1877, or two years before that of the petitioner. He is therefore incorrect in the conclusion he draws by comparing the two cases.

3. With regard to paragraph 7 of the petitioner's letter to the Honorable the Governor in Council, it must be remembered that the compensation to Mrs. Sadler was mostly for a brick building and a well which were washed away by the sea and rendered useless. The land of the petitioner has been encroached upon by the sea, but has still been of value for purposes of stacking timber.

4. As regards the amount of the petitioner's claim (Rs. 20,165) I have always thought it unreasonable and exorbitant.

5. As the whole question of compensation on account of sea-damage is now before Government, and as the estimated value of the petitioner's land is given in the papers returned with my letter No. 33 W. of August 10th, I think there is nothing more left for me to remark upon.

No. 107.

ORDER THEREON, 26th August 1881, No. 2,130 W.

THE Honorable the Governor in Council considers that the longitudinal revetment to the north of the Madras Harbour, ordered in paragraph 2 of G.O., No. 561 W., dated 1st March 1881, to be proceeded with, should be pushed on as speedily as possible. By leaving occasional blanks in the sea wall, with short returns connecting the revetment with the shore, there will probably, under proper arrangements, be no reason to apprehend danger to the work generally; and the landing of timber, as well as fishing, would still be practicable.

2130/W

2. As regards the cost of the work as well as of the moorings, the best plan will probably be to include the extra items in a separate statement, which would, with the sanction of the Secretary of State, form a "Supplemental" estimate. The requisite steps with this view will be taken on receipt from the Superintendent of the Harbour Works of a complete estimate of the cost, which should be submitted as early as practicable.

3. The Government have not as yet received all the information requisite to enable them to deal with the question of compensation for damage to existing holdings north of the harbour. It is stated by the Deputy Collector in his letter No. 319, dated 29th March 1881, embodied in the Collector's letter of the 30th March 1881, that all the grants on which the claimants hold their land are restricted to ninety-nine years, a penalty being payable on renewal of the lease after each term of thirty years, but that both conditions have been waived by orders of Government. The order of the 5th September 1834, No. 784, sent up in support of this position, relinquishes *only* the fine on renewal of grant. There is nothing in the papers before Government to support the statement that the terminable lease tenure of ninety-nine years has been relinquished or converted into a perpetual lease, or an absolute proprietary title. It seems probable that the original grants have not many years to run, and that the lessee's property under the grants is of much smaller value than has been claimed, or assigned to it. The property in the *sites* has not been parted with, and that in the *buildings* requires further investigation; it being understood that property in buildings on lease hold sites vests on expiry in the *lessor*.

4. Further inquiry on these points is needed, and should be made by the Collector, the result being reported at an early date.

(True Extract.)

Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Superintendent, Madras Harbour Works.
„ Revenue Department.
„ Marine „

Exd. S. T. Austin.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of (1881) Madras.

PUBLIC WORKS.

To

The SUPERINTENDENT,
MADRAS HARBOUR WORKS,
&c., &c., &c.

Dated August, 26th.

Issued

Encl.

Recd.

G. O., 26th August 1881, No. 2,130 W.

AUGUST.
Nos. 106-107.

Compensation for erosions north of the Madras Harbour.—Orders on correspondence regarding —.

Comg to Collr. Min.
No. 22-12-80 G.O. 4195
not comd to Govt.

F1

(P.)

Revenue Department.

2130/5

No. 666

Proceedings of the Board of Revenue,
Dated 13th April 1881.

Read the following letter from R. W. Barlow Esquire Actg Collector of Madras to C. A. Galton Esquire Secretary to the Board of Revenue dated Madras 30th March 1881 No. 116.

With reference to the Board's Proceedings Mis. No. 14285, dated 27th December last, I have the honor to submit the report called for in G.O. No. 4195 of the 22nd idem.

2. To enable me to deal satisfactorily with para 3 of the G.O. No. 2823 W, dated 7th December 1880, it was necessary

as I have already told the Board (vide my docket No 31 dated 31st January 1881) to take actual measurements, as well as to make reference to certificates, Surveys &c, and the extents of the properties named by the Superintendent of the Harbour Works have been so ascertained, and distinguished under the following heads, which took some considerable time, and hence the delay in the submission of this report.

(1) The original extent of the properties as ascertained from their Certificates &c.

(2). The extent encroached upon by the Sea up to 1862 — the year of the general Survey of Madras — owing to natural causes.

(3.) Extent submerged in the interval between 1862 and 1876,+ the year when the Harbour Works were commenced, which is also due to natural causes.

+ Note. The position of the Sea line in this year was furnished by the Superintendent of the Harbour Works. Vide Enclosure (A)

(4.) The extent submerged since the commencement of the Works — which is all that can be due to the Harbour, and lastly

(5) The extent of the land that it is now proposed that Government should acquire.

3. I enclose a Statement (B) showing the extent under the different heads above and, also a plan (C) giving the position and the boundaries of the several landed properties comprised in the Strip as well as the high water line of the Sea in 1862, (the year of the Survey of the Tondiarpett Division, in which the strip named is situate); the high water mark again in 1876, the year of the commencement

of the Harbour Works, and the same in 1880.

4. As regards tenure, the Deputy Collector reports that nearly all the lands are certificated property now; some, however, were grants held on special conditions - as to payment of fines terminability &c, but were converted, or are convertible, into ordinary certificates under the orders of Government passed on the recommendation of the Board in their letter to Government No. 276, dated 2d July 1829. The G.O. itself cannot be found in the records of this Office, but such has been the practice, and I enclose extract from the Deputy Collector's No. 319. dated yesterday on this point.

In E.M.C. 7-5-29 No 5419

5. The encroachment on the several properties from the year of the commencement of the Harbour Works up to now has been ascertained with the help of the tracing (A) above alluded to, furnished by the Superintendent of the Harbour Works, showing the amount of shore eroded between September 1876 and September 1880, and this, as above remarked, together with the extent of land now to be acquired, is all that the owners can claim compensation for. The extent comprised under these two items has been valued carefully, after consulting the prevailing market rates for lands in the neighbourhood, and is shown in column 17(B). Side by side

is also given in the Statement the value demanded by the owners (column 16). A few of the proprietors have declined to fix any value for their lands, and in such cases the market rates prevailing in the neighbourhood have been adopted.

6. Some of the plots of land are covered by substantial buildings of ascertainable value, and this Department's estimates - being non-professional - I would suggest that an Officer of the Department of Public Works may be directed to check the same, as the valuation of buildings by Revenue Officials have been often challenged in the Courts, when such cases under the Land Acquisition Act have been referred to for adjudication.

7. Trees where existing on any of the properties, have also been carefully estimated, and the total value of the extent to be paid for on account of the erosion of the Sea, as due to the Harbour Works, and of that now proposed to be acquired for the Works, may be set down at Rs. 50,000 in round numbers.

8. Adding, however, to the above figure 15 per cent compensation, Section 42 Act X of 1870, & allowing for possible difference between this Department's estimate for buildings and that to be hereafter prepared by the professional officers, I think a provision of Rs. 70,000 under all heads will be sufficient.

9. It will be observed that in arriving at these figures, I have treated the whole of the encroachment; since 1876, as due to the Harbour Works, whereas – as pointed out by Mr Thorowgood – it is quite true that the erosive action of the sea had shown itself prior to the commencement of these Works, and probably would have continued without their construction, though the works have, in my opinion, accelerated such action. But how much would have taken place had the Harbour Works not been commenced, or in other words, to what *extent* the Harbour is responsible for the actual erosion is a point on which I must confess myself unable to give any satisfactory opinion. The Government have before them what must have been the high water line for a portion of this property in 1802, as ascertained from the measurements given in the certificate, they have also the high water line for the whole in 1862, and again in 1876, and 1880 – Vide plan – and will see that though erosive action was taking place prior to 1876, such action has been more rapid since that date which is attributable to the Harbour, and a Civil Court would doubtless take into consideration such previous erosion when assessing the damage ascribable

to the Harbour, and in deciding the value of the lands adjacent to the present high water line.

10. The plan D received with the Government Order is herewith returned.

Enclosure.

No. 319. Madras Deputy Collector's Office 29th March 1881.

From,
The Ag Deputy Collector of Madras
To,
The Ag Collector of Madras.

Sir,

* * *

3. X All grants granted by Government are restricted to 99 years, and under one of the conditions of grants, a penalty has to be collected at an end

of every thirty years from the holders of grant lands, but both the above conditions are not observed and enforced under orders of Government.

*not to be found.

* * *

I have &c
(Sd) A. Sudarshana Row
Ag Dy Collector.

(True Extract)
(Sd) R. W. Barlow
Ag Collector of Madras.

Submitted to Government with reference to Government Order 22d December 1880 Number 4195.

2. The Collector's valuation appears to have been made upon a sufficiently liberal scale and the demands of many of the claimants are obviously extravagant. Mr. Barlow states

that he has been unable to calculate the probable normal effect of the erosive action of the tides since the commencement of the Works, and he accordingly proposes to allow full compensation for the advance of the high-water mark since 1876.

3. The Board agree with the Collector, in thinking that the valuation of buildings should be made by a professional officer.

4. Referring to para 4 of the letter and to the correspondence between the Government and the Board alluded to therein regarding grants of the kind under consideration, it is observed that, in 1834, the Government resolved to forego altogether their demand on account of "reserved and further reserved rents on Government grants."

E. M. C. 5th Septr. 1834.

2180/11

(True Copies & Extract)
L. Gibon
Acting Secretary.

To
The Secretary to Government
Revenue Department
with 3 plans and one Statement
(plans A & C, and the Statement
to be returned).

xd C Bragg
Rama Chandriah

P No 2267/81

BW Encl 3/4541/81

2130/12

9 5/7

Serial number	Name of Owner of properties	Grant or certificate numbers	Survey numbers	Value for building and huts demanded by the owners	No. 14 Column in Collector's statement Buildings as valued by Revenue Inspector	Valuation as per Harbour Work Estimate	Remarks
					Rs	Rs	
1	Veera Chetty P.	7552 5785	2554	310 " " 30 huts	210	210	There are 31 huts – Estimated value very fair
2	Callian Ummall and	7597	2545	600 " a house	351	420	The area of surface covered by the building is about 840 supl. feet the estimate is at 8 as. the sq. feet which is about the probable cost
3	Veerasawmy Nattan Paupen	8433	2546	600 " " a house	343	450	Area covered by building is 896 sq. ft. Estimate is calculated at 8 as. per a square foot
4	Amaiasay	8431	2547	500 " " a house	252	300	Area covered is 596 square feet main building besides there is a detached building 18'x14' which conjointly give the estimated value
5	Cundappa Chetty	8432	2548	1500 " " a house	546	670	Superficial area is about 1340 feet
6	Audinarraina Naicker	G. N 762	2549	" " "	"	"	No building on these plots
7	Administrator General	G. N 882	3002	" " "	"	"	
8	Alankarry Ummall	G. N 876	3003	" " "	"	"	
9	Vencatasooloo Chetty	C. N 6592	3004	declined to give value of a house	3605	3000	Value cannot be accurately ascertained the building is in ruins
10	Cundasawmy Chetty	437	3005	70 " " 5 huts	34	30	Five huts
11	Rajoo Chetty	3405	3006	110 " " 7 huts	28	40	Seven huts
12	Sabapathy Chetty	3680	3007	" " "	"	10	Two huts
13	M. Parthasarathy Chetty	2829	3008	"	453	550	Two buildings covering about 1150 supl. feet and 12 huts joint value of all is estimated as given
14	Palayathan Chetty	7223	3009	2600 " " 2 houses & hut	1105	1200	Two buildings area about 2500 square feet
15	Cundasawmy Chetty	458	3010	150 " " 12 huts	59	60	Eleven huts on one plot
16	Soobroya Chetty Cundappa Chetty, Verasawmy Chetty	6446 6445 6444	3011	270 " " 21 huts & one well	114	70 60	Twelve huts
17	Unnaralich	3676	3012	" " "	"	"	Open ground
18	Mahomed Tucker Sait	N. C 88	3013	250 " " one building & one well	50	80	One mud building 22'x24'
19	Administrator General	G. N 457	3055	720 " " 20 huts	251	200	One building 16'x20' one well and one hut
20	Seethiah Naiken	C. N 7880	3056	1040 " "	180	250	do 20'x20' 2 huts & one well
21	Silver Meya Sait	1819	3057	" " "	"	"	
22	Trimally Archary	2623	3058	" " "	"	"	Open ground
				Totals	7581	7600	
					Ditto + Rs 19		

Madras Harbour Works
10th August 1881 — 5

F. H. Harwood M.I.C.E.
Superintendent
M. H. Works

G. O. 13 March/79 No 758 W. Origl
" 7 Decr 1850 No 2823 W. Do
" 1st March/81 No 561 W. Do

Pro: No 2849

Revenue 1881. Deptt.

Proceedings of the Board of Revenue.

No 2100

enclo: 9

By Encl 1541/81

Encl: G. O. No 1179

Transferred to the P. W. Dept: with copies of the under-mentioned papers* on the Govt records, with reference to that Deptt G. O. dated 7th Decr 1880, No 2823 W.

Dated 13th April 1881.
Despatched
Received 18th

Recd 11th May.

En 4

Ootacamund, 2d May 1881.
C. Master
Secretary to Govt

~~Mis.~~ No. 666

*
1. From the Board of Rev: 2nd July 1829 No 276.
2. To do 7th August " " 529.
3. From the Board, 22nd August 1831 No 415.
4. From do 17th Dec 1832 " 438
5. From do 28th Aug: 1834 " 352.
6. To do 5th Sep: " " 784

SUBJECT.

Submitting to Govt with remarks letter from the Collector of Madras reporting on the amount of the compensation which will be probably necessary to meet all existing claims against Govt in consequence of the erosion of the sea near the north end of the Madras Harbour

Transferred.

O. 12.5.81 R. 23-5-81

No 1319 W.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

2180/15

UNDER date the 23rd May 1881

Read the following :—

Endorsement, Rev: Deptt: on Proc: Bd of Rev: No: 666 dd 13th April 1881 } (G. O. No: 1179 dd 2nd May/81)

These papers will be referred to the Superintenden of the Madras Harbou Works for any remarks he may wish to offer, and with a view to the valuation of buildings referred to by the Collector× in para 6 of his

× Vide para 3 of Boards Procs: No: 666 dd 13th April 1881.
R. S.

letter No. 116 dated
30th March 1881.

2. Should the Superintendent of the Harbour Works be unable to have the valuation made by the Establishment at his disposal application should be made to the Supt. Engineer 1st Circle at Madras,

18/5/81

13194

B. R. 13194 of 25th May 1881

Supt. of Hr. Works
with papers in original to be retd.

S. E. 1st Circle

Despd.
23/5/81

Cd. 23-5-81

No 10

230/16

Revenue Dept.

No. 276.

To the Chief Secretary to
Government:

Sir,

Para 1. I am directed by the Board of Revenue to request that you will submit to the Right Honble the Governor in Council the accompanying letter from the Collector of Madras, and to state that the Board concur in his recommendation that the demand of Government on account of reserved and further reserved rent stipulated for in the old grants be remitted.

2. In the old form of grant which was for the term of 99 years it was stipulated that the holder of the land

leased thereby besides the annual rent the amount of which depended upon the extent of the land should at the expiration of every thirty years of the term pay to the Company the fixed sum of thirty Pagodas and at the expiration of the term of 99 years the fixed sum of one hundred Pagodas whatever might be the extent of the land. In the new deed these reservations are omitted and nothing is demandable for the lands held under them but the annual rent settled according to the extent of land. As these reservations form a very unequal tax and frequently are more than the parties can afford to pay, as they must be insignificant as

SP 11

2138/17

a Source of Revenue and as they are given up for the future wherever a certificate in the new form is taken out in place of old grant; the Board think it expedient that they be at once remitted generally.

Revenue Bd. Office
Fort St. George,
2nd July 1829.

I have the honor &c
Sir
Your most obt. Servt.
(Signed) D.G.
Secretary

(True copy)

C. Newton
Capt. R.E.
Ag. Under Secretary to Govt. P.W.D.
for Secy. to Government.

Exd.
A.l

Ph 2807/11

Ph 2807/11

Pr 4541/11

No 12

2138/18

Rev: Depn.

No 549.

To

The President and Members
of the Board of Rev.

Gentlemen,

I am directed to acknowledge the receipt of your Secretary's letter of the 2d Ultimo, No 276. In order to enable the Government to form an opinion as to the expediency or otherwise of giving up the reserved and further reserved rents of the old grants, the Right Honble the Governor in Council desires that you will call upon the Register of Government Grants to furnish a statement exhibiting the amount.

now due and demandable on these instruments, and the proportion thereof payable by parties who have the means of fulfilling the conditions of the grants which they hold. With this statement you will be pleased to transmit a printed form of the old grants and one of those now in use, with a memorandum of the rate of quitrent leviable under each.

I have &c.

x x x

Fort St. George
7 August 1829

(True Copy)

C. Lewin ~~Major~~ Capt R.E.,
Ag. Under Secy to Govt.
P. W. [illegible]
for Secy to Govt.

Ext
C.C.

Ch 2849/81/2

By Incl 5/4541/81

Revenue Dept

No 415

To the Chief Secretary to Govt

Sir,

7 August 1829. Para I With reference to the letter from Government noted in the margin - I am directed by the Board of Revenue to request that you will submit to the Right Honourable the Governor in Council

15 in Con: 18 July 1831 the accompanying letter from the Collector of Madras with two statements of reserved and further reserved rents demandable upon grants for land at Madras and in the Provinces respectively, and three printed forms.

2. The statements appear to show the proportions of the reserved and further reserved rents entered in all the grants extant calculated up to the 11 July 1829. But it is to be observed that if the original grant is not renewed no part of the reserved rent is demandable until after the expiration of every thirty years of the term of lease and no part of the further reserved rent is demandable until the expiration of the full term of ninety nine years. Therefore the amount shewn under the head of reserved and further rents respectively cannot be considered as due at the date to which the statements are made up. By the terms of the lease it is not stipulated that the proportion of reserved and further reserved rents due at the time of a transfer calculated according o the number of years the lease has run shall be then payable, ut it is the practice to demand t when a transfer is made, greeably to a notification published n April 1814

From Colls 2d April in
Con: 7th do —1814
No 7 do — 7th do

I have the honor to be
Sir
Your most obt. Servt.
(Signed) D. G.
Secretary.

Revenue Board office
Fort St George
2d August 1831.

True

0015

2/30
21

/True Copy/

C. Erwin
~~[illegible]~~ Capt. R.E.

Cy. Under Secy to Govt. P.W.D.
for Secy to Government.

Exd
C.l

DP 16
2130/22

Encl 6
454

Revenue Department

No. 438.

To

The Chief Secretary to Government

Sir,

To the Chief Secy 2nd in Con: 2nd July 1829.
From Do 7th in Con: 10th Augt.
To Do 22nd in Con 22nd Augt 1831.

Para 1. With reference to the correspondence noted in the margin, I am directed by the Board of Revenue to request that you will submit for the orders of the Right Honorable the Governor in Council the accompanying letter from the Acting Collector of Madras and Register of Government Grants dated 6th October last.

In Con. 11th Octr 1832.

2. The old form of Government Grant which was of the nature of a lease, being considered inapplicable and otherwise open to objection the new form which is now in force was prepared by the late advocate General Mr Compton, and in it

the Stipulations contained in the old form in respect to the payment of reserved and further reserved rents were omitted: nothing being demandable for the lands held under the new deed, but the annual quit-rent settled according to the extent of land. As the several rents under the old Grants form a very unequal tax and are insignificant as a source of revenue and as they are given up for the future whenever a certificate in the new form is taken out, the Board recommended that they should be relinquished generally. Before passing orders on the subject the Government desired that statements of the reserved and further reserved rents of the old grants should

be

be laid before it. In submitting them for the information of the Right Honorable the Governor in Council under date the 22nd August 1831 the Board observed that the amount shown therein could not be considered as due at the date to which the statements were made up: as by the terms of the lease the reserved and further reserved rents are not payable till the expiration of periods of 30 and 99 years respectively.

3. In the case now referred by the Acting Collector it appears that Messrs Arbuthnot & Co having purchased some ground within the limits of Madras, held under a Government Grant applied to have it renewed in their own name that the old deed was accordingly cancelled in the proper

registers and a new one prepared, but that on Messrs Arbuthnot and Co becoming aware that they should be liable to the demand of the reserved and further reserved rents "exceeding" as they state "20 per cent of the value of the property" they have objected to pay the same and request that the old grant may be returned to them — applications for exemption from these fines have from time to time been made by individuals on the renewal of their Grants which together with the case now submitted by the Acting Collector will be subject to the decision that may be passed by Government on the general question.

Rev: Board office,
Fort St George,
17th Decr 1832

I have &c
(Sd.) ______
Ag Secretary.

(True Copy)
Capt
~~Lieut~~ R.E.
Dy Under Secy to Govt P.W.D
for Secy to Govt

P.L. 2849/81
4

B.R. Early/4541 /81

AP 19

Revenue Department

2130/25.

Read the following letter

No. 352

To

The Chief Secretary to Government

Sir

A reference having been made by the Collector of Madras on the subject of reserved and further reserved Rents, I am directed by the Board of Revenue to request the orders of Government on the question of the relinquishment generally of the demand on account of reserved and further reserved rents stipulated for in the old form of Government Grants as referred to in the Board's letters of the 22d August 1831 and 17th December 1832.

I have &c.

Revl. Board office,
Fort St. George
28th August 1834.

(Sigd)

Secretary.

No. 784.

Having taken into consideration the letters referred to in the above communication the Governor in Council observes that the practice which has prevailed of demanding payment of a proportion of the reserved and further reserved rents according to the number of years that the grant has been in force, whenever a renewal of it is required in consequence of a con transfer appears to be quite illegal, as by the terms of the grant those rents are not payable till the expiration of periods of 30 and 99 years respectively. It is quite fallacious to state the present demand as it is done in the statement prepared by the Collector of Madras as Register of Government Grants, submitted by the Board in their letter dated the 22d. August 1831 wherein if the grant has run for 20 years the whole term being 99 years the sum of 20 Pagodas is entered as due in part of 30 Pagodas the reserved rent payable at the expiration of the first 30 years, and a further sum of 20 Pagodas as due in part of 100 Pagodas payable at the expiration of the full term. The average annual revenue from these reserved rents payable at such distant periods must be very inconsiderable, and as they form a very unequal assessment being

the

the same for 50 Cawnies as for 1, and the demand is omitted in the new grants which are issued when lands are transferred, the Governor in Council deem it expedient to remit them altogether.

Resolved accordingly that the Board of Revenue be instructed to direct the Collector of Madras not to make any further demand on account of reserved and further reserved rents on Government Grants.

Fort St. George }
5th. Septr. 1834 }

(Sigd) C. Eliott
Offg. Secy. to Govt.

True Copy
Capt
Major R.E.
Dy. Under Secy. to Govt. M.D.
for Secy. to Government.

Exd
Al

[illegible]

Cail.
4541

2130
27

of the Compensation which may be required for the acquisition

		Total extent of land to be paid for on account of erosion of the sea due to Harbour Works and the present requirements of Harbour Works 12	Value for land demanded by the owners 13		Value for Buildings and huts demanded by the owners 14		Value for Trees demanded by the owners 15		Total Value demanded by the owners 16		Value or Estimate given by the Revenue Inspector Lands	Buildings	Trees	Total	Remarks
ft	C q	sq ft	Rs	A	Rs	A P	Rs	A P	Rs	A P	Rs	Rs	Rs	Rs	
.	10	–	2000 at Rs 200 per ground.	" "	310 30 huts of the tenants.	" "	15 8 Cocoanut + 7 Poovarasu (Palm trees)	8 .	2325	8 .	1850	4 210	15	2075	
200.	. .	1200.	100 at Rs 200 a ground.	—	600 a house	—	Rs 9 1 Cocoanut + 2 Pappilies.	" "	709	—	93	357	5	449.	
200	. .	1200.	100 do	—	600 a house	—	"	" "	700	—	93	343	"	436	
200	—	1200.	100 do	—	560 a house	—	"	" "	660	—	93	252	"	345	
200	. .	1200.	100 do	—	1500 a house.	—	25 2 Cocoanut + 1 young do	" "	1625	—	93	546	7	646.	
536½	23	1470.	20000 no rate.	—	"	" "	100 10 Poovarasu trees.	" "	20,100	—	9551	"	13	9564	
3240	18	1240.	3705 at 200 Rs a ground	—	"	" "	120 16 Cocoanut trees & 1 Poovarasu.	" "	3825	" "	2595	"	58	2653	
360.	17	600.	2588 150 Rs a ground	—	"	" "	"	" "	2588	—	2415	"	"	2415	
108.	1 11	925	7100 no rate.	—	declined to give value of a house		"	" "	"	—	4953	3605	"	8558.	
445½	6	241½	1220 200 Rs a ground.	" "	70 6 huts.	—	"	" "	1290	—	858	H. 34	"	892	
512	6	580	1250 do	" "	110 7 huts.	—	"	" "	1360	—	875	28	"	903	
260.	6	490¾	1240 do	" "	"	—	"	" "	1240	—	870	"	"	870.	
312½	12	762½	Demands the lump sum of 150 Rs a ground.		Ten huts and two houses				7257	12 .	1727	453	"	2180	
2142	6	1135	975 do	—	2600 2 houses & 1 hut.	—	"	" "	3575	" "	910	1105	"	2015	
243¾	12	1580	2550 at 200 Rs a ground.	—	150 12 huts.	—	"	" "	2700	—	1275	4 59	"	1334	
524	22	1500	10,125 [illegible] a ground		270 2 huts & 1 [illegible]	" .	"	" "	10,395	" "	5063	114	"	5177	
1609.	6	2097	1720 at 250 Rs a ground		"	" "	"	" "	1720	—	688	"		688	
1876	1	1876	350 at 250 Rs a ground.	—	250 one building & 1 well	—	15 2 Cocoanut + 1 Poovarasu	" "	615	—	180	50	10	240.	
34[illegible]	1 7	913	6276 do	—	720 120 huts.	" "	"	" "	6996	—	2344	251	"	2595	
1350	1 9	1527	6727 do	—	1040 Two huts	—	"	" "	7767	—	2517	180	"	2697.	
1125	1 13	2252	7579 do	—	"	— —	70 Poovarasu trees 39	—	7649	—	2840	"	32	2872	
567	9	1200	1900 do	" "	—	—	"	—	1900	—	708	"	"	708.	
6 77[illegible]	4 20	1189¾	77705	" "	8780	" "	354	8 "	86991	4 "	42591	7581	140	50312	

Add 15 per Cent Compensation and a sum for possible difference between this and D. P. W. estimate for buildings } 20000

70312
or 70000 in round numbers

Ag Collector of Madras

Statement showing the extent of the properties proposed to be acquired in G.O. of 7th December 1880 No 2823 and the probable es

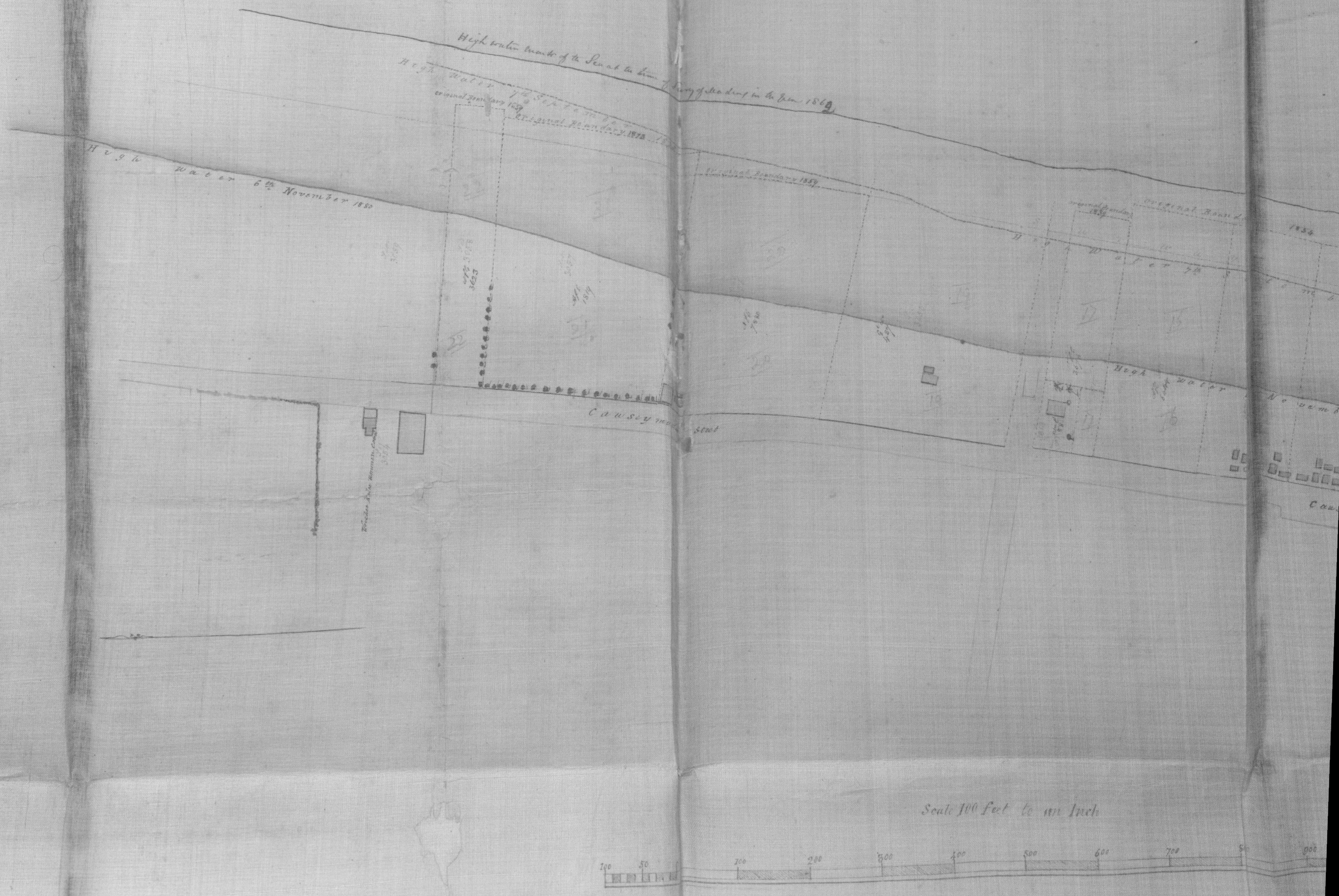
Names of owners of Properties	Grant or Certificate numbers	Grant or Certificate Extent			Survey Numbers	Survey Extent in 1862			Erosion by sea between Grant or Certificate years and 1862 or loss in land from Natural Causes			Further loss in land by erosion of the sea between the survey year 1862 and harbour works commencement year 1876 from Natural Causes			Further loss in land by the erosion of the sea between the year 1876 and ~~1880~~ Now			Present Extent of the land			
2	3	4 c	g	sq ft	5	6 c	g	sq ft	7 c	g	sq ft	8 c	g	sq ft	9 c	g	sq ft	10 c	g	sq ft	c
Veeral Chetty P.	C.N. 7552 5785	„	10	„	2544	.	9	2312	„	„	88	„	„	„	„	„	„	„	10	„	.
Calliam Ummall and Veerasamy Nattan	7597	„	„	1200	2545	„	„	1200	—		„	„	„	„	„	„	„	„	„	1200	.
Paupen	8433	„	„	1200	2546	—		1200	—		„	„	„	„	„	„	„	—		1200	.
Amavasay	8431	„	„	1200	2547	—		1200	„	„	„	„	„	„	—	—	—	—		1200	
Cundappah Chetty	8432	—		1200	2548	—		1200	„	„	„	„	„	„	„	„	„	—		1200	.
Andimarrama Naiken	G.N. 762	4	1	600	2549	2	6	1971	1	18	1029	.	3	501	1	8	2313½	.	18	1556½	.
Administrator General	G.N. 882	1	12	78	3002	.	23	648	.	12	1830	.	4	1808	.	10	1400	.	7	2240	. 7
Alunkary Ummall	G.N. 876	1	12	22	3003	.	21	880	.	14	1542	.	4	280	.	10	1640	.	6	1360	. 6
encatasooloo Chetty	C.N. 8592	2	5	800	3004	1	17	2106	.	11	1094	.	6	1181	.	23	817	.	12	108	. 12
dasawmy Chetty	457	.	10	1800	3005	.	6	1603	.	4	297	„	„	1261½	.	3	2196	.	2	445½	. 2
Rayoo Chetty	3405	.	8	1216	3006	.	6	1695	.	1	1921	„	„	1115	.	4	68	.	2	512	. 2
2 Sabapathy Chetty	3680	.	8	1056	3007	.	5	2051	.	2	1405	—		„	.	4	230¾	—	2	260	. 2
3 M. Parthasarady Chetty	2829	.	16	1413½	3008	.	14	Incorrectly 1393¾ sq ft 744	.	2	669½	.	1	2381½	.	7	450	.	5	312½	. 5
4. Palayethan Chetty	7223	.	8	1200	3009	.	7	480	.	1	720	„	„	1745	.	3	1393	.	2	2142	. 2
5 Cundasawmy Chetty	458	.	21	400	3010	.	13	1650	.	7	1150	.	1	70	.	6	1736¼	.	5	2243¾	. 5
bbaroya Chetty, Cundappa Chetty rasawmy Chetty	6446 6445 6444	2	17	5	3011	2	4	2399	.	12	6	.	2	899	1	5	976	.	21	524	. 21
anavaliah	3676	.	9	„	3012	.	6	2197	.	2	303	„	„	„	.	6	488	—		1609	—
romed Fakeer Saib	U.C. 88	.	2	„	3013	.	1	1876	—		524	„	„	„	„	„	„	.	1	1876	. 1
ministrator General	G.N. 457	2	4	200	3055	1	7	913	.	20	1689	„	„	„ =	.	16	564½	.	15	348½	. 15
iah Naiken	C.N. 7880	1	10	900	3056	1	9	1527	„	„	1773	„	„	„	.	17	177	.	16	1350	. 18
Meya Saib	1819	1	14	1300	3057	1	13	2252	„	„	1448	—		„	.	17	1127	.	20	1125	. 20
malay Acharry	2623	.	9	1200	3058	.	10	633	„	„	„	„	„	„	.	2	633	.	7	567	. 7
Total	.	21	15	190½	.	15	22	1337	5	17	686½	1	1	1642	8	3	1810	6	16	1779¾	6 16

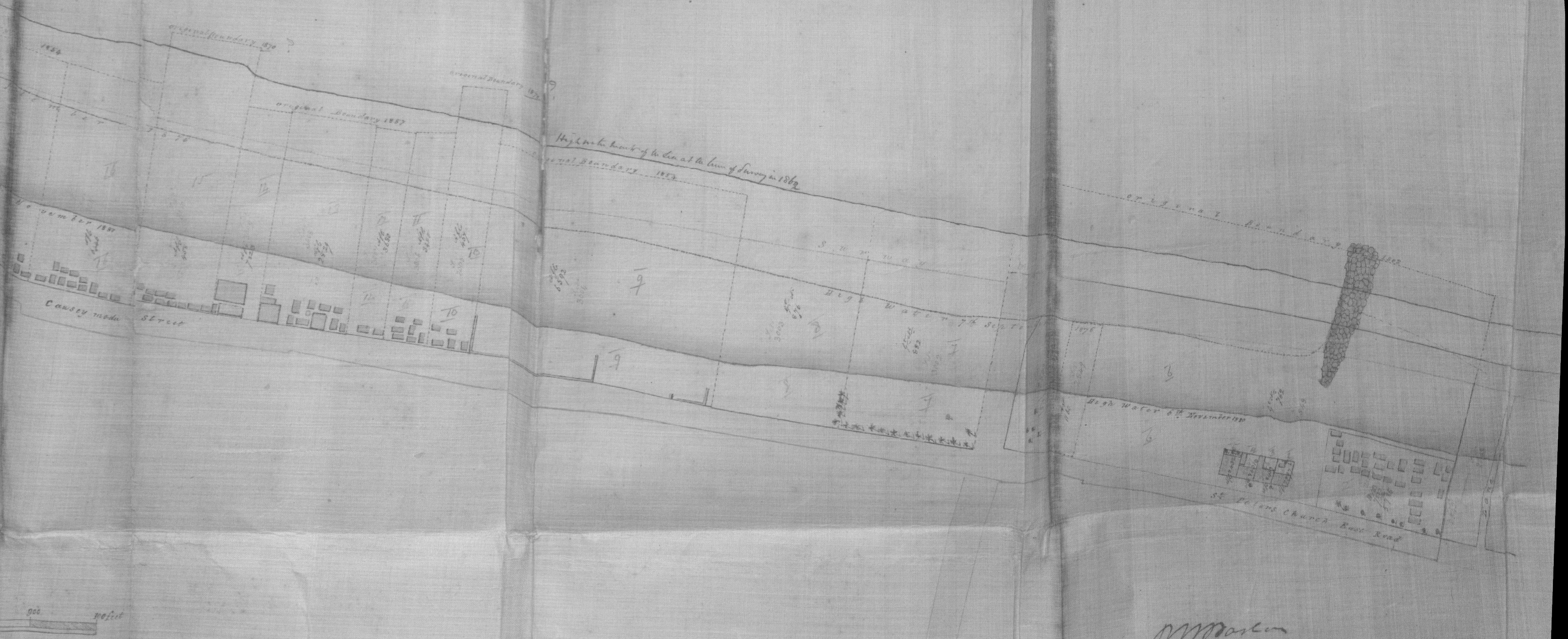
C.N. denotes Certificate No
G.N. - do Grant No
U.C. - do. Uncertified No
H - do. Huts

adras Collector's Office
30th March 1881

Enclosure No 5.
In a letter No 273 from the Sy [illegible]
Madras

18/3/81





M. Damodara Moodelly

26/2/81 A. Inspector

Ag Collector

In a letter from
the Collector of
Madras to the
Secretary to the
Board of Revenue
No. 116 dated 30th
March 1881

Pr 28 9/81

Pr Encl/4541 10/81

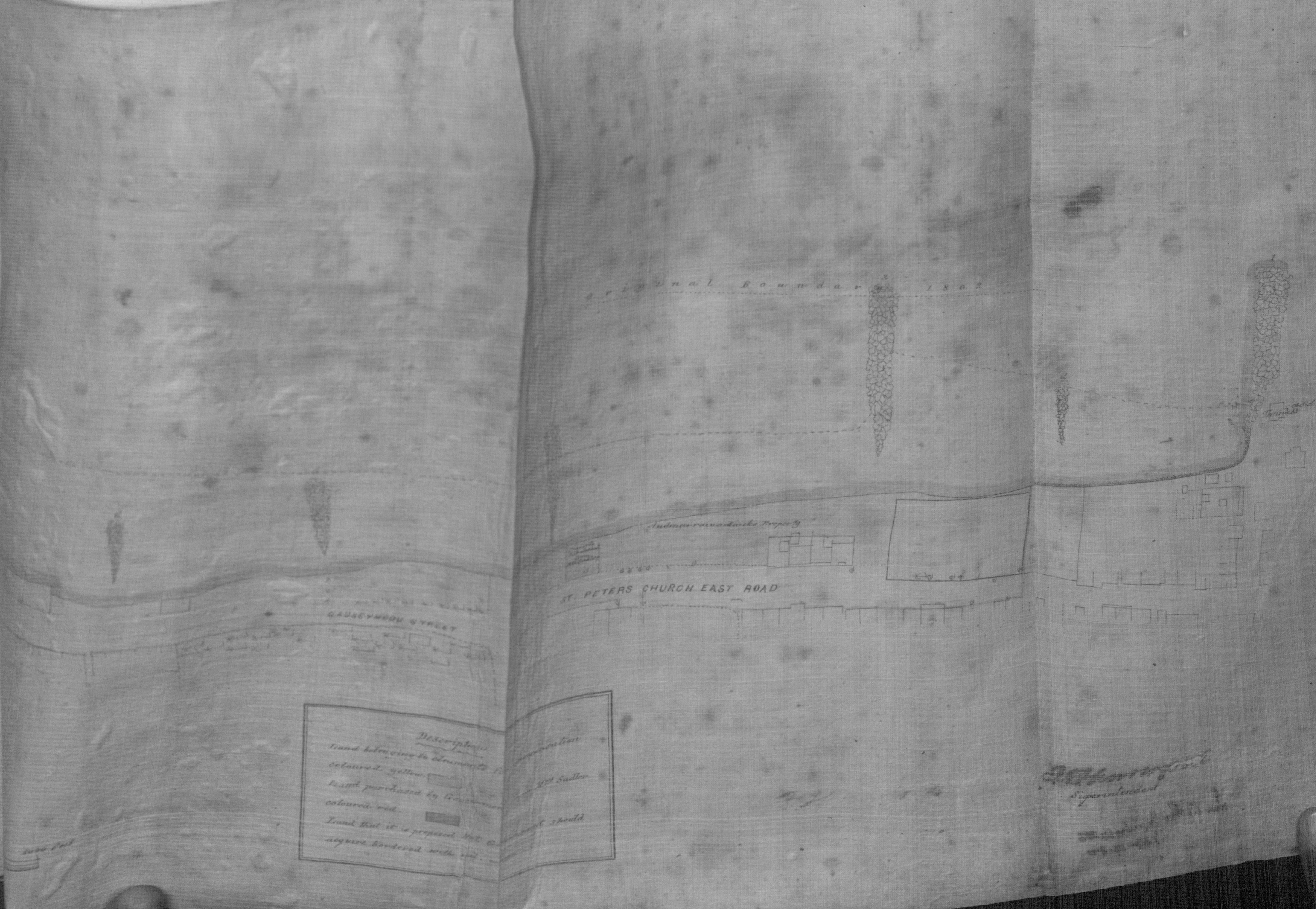
Subj No 2538/81

Plan. C.

Rev 3/2100 of 81

M.H.W

Plan shewing state of Coast to North of Harbour November 1880


Original Boundary 1802
2
1
Property
ST. PETERS CHURCH EAST ROAD
CAUSEYWOOD STREET
Description
Land belonging to
coloured yellow
Land purchased by G
Sadler
coloured red
Land that it is proposed that G
should
acquire bordered with red
Superintendent

PW Fund 9 / 1574/[illegible]

[illegible]

Rev 3 / 7585/80

No. 33 W. 823 230/5

From

THE SUPERINTENDENT,
MADRAS HARBOUR WORKS,

To

Colonel R. H. Sankey, C. B. R. E.
Secretary to Government, P. W. Dept.
Buildings & Roads.
Fort St. George.

MADRAS, 10th August 1881.

SIR,

I have the honor to submit a few remarks upon the papers which were sent to me with G. O. No. 1319 W. of May 23rd and to return them herewith as directed. I regret that my absence from Madras on leave should have delayed the submission of my reply to the Order above named.

2. Mr. Barlow in his letter to the Board of Revenue No. 116 of March 30th has placed the whole matter so clearly that there remains little for me to remark upon. The fact of the continued erosion from 1862 to 1876 as shown in the plan marked C, is proof positive that the Harbour Works are not wholly responsible for the waste of land to the North and to this I have already called attention in my letter to

Government on which G.O. No. 2823 Rev. of December 7th 1880 was passed. Mr. Barlow has also drawn attention to this in paragraph 9 of his letter.

3. I have carefully examined the statement "B" accompanying Mr. Barlow's letter and have measured and valued all the buildings referred to. In most cases my estimate of their value is higher than that given by the Revenue Inspector. I submit herewith a list of the values of the buildings as I estimate them and it should be compared with the column marked "Buildings" Section No. 17 in the statement of the Collector of Madras.

4. I would remark that in the event of the stone revetment being carried northward to the Saw Mills, the shore along that length of the coast will become useless as a timber depot or even as a fishing station, and its value will consequently fall away.

I have the honor to be,
Sir,
Your most Obedt. Servt.

F. W. [illegible] M. Inst. C.E.
Superintendent
Madras Harbour Works

P. W. C. No. 4541

W

For order

8

Buildings & Roads

From
The Superintendent
Madras Harbour Works

No 3317
Dated 10th August 1881
Recd. 11th —

No. of enclosures 12
(3 plans)

Compensation for lands

Petitions correspondence relating to — with valuation of houses north of Harbour eroded by the sea.

0/13/8

C. 15.8.87

2130/37

Copies of Correspondence regarding Petitioner's land encroached upon by the Sea since the commencement of the Harbour Works.

MADRAS, *4th November* 1879.

To
L. R. BURROWS, Esq.,
President, Municipal Commission,
Madras.

SIR,

Your honor is aware that I have frequently addressed you, relative to Compensation due to me for the large extent of land, about 5 Cawnies, situate at Attapaliem, Royapoorum, which was formerly occupied as a Palmyra Timber Depôt but which has been encroached upon by the Sea from the commencement of the Harbour Works. The value of the land has been estimated by the Revenue Officials, and the necessary information has been submitted to Government through your honor's Office. I therefore respectfully solicit that your honor will be kindly pleased to grant me the compensation due to me.

I beg to remain &ca.,
(Signed) N. AUDENARRAINSAWMY NAICKER.

MADRAS, *4th November* 1879.

To
A. SMITH, Esq.,
Deputy Collector of Madras.

SIR,

I have, very respectfully, to bring to your notice that I am not liable to pay Quit rent on account of land belonging to me at Attapauliem, consisting of about 5 Cawnies, close on the Beach at Royapoorum, which was formerly occupied as a Palmyra Timber Depôt but which has been rendered worthless by the encroachment of the Sea ever since the commencement of the Harbour Works. In respect to this Subject much Correspondence has transpired between the Superintendent Harbour Works, the President of the Municipality, and Government and I am now awaiting compensation for the loss of so large an extent of my land.

I beg to remain &ca.,
(Signed) N. AUDENARRAINSAWMY NAICKER.

MADRAS, *19th November* 1879.

To
F. N. THOROUGHGOOD, Esq.,
Superintendent, Harbour Works,
Madras.

SIR,

I, very respectfully, beg to annex Copy of a memo sent me by the Municipal Authorities relative to the claim preferred by me for Compensations on account of lands encroached upon by the Sea owing to the Construction of the Harbour from which it will be seen that I am directed to apply to the Harbour Works Authorities for same.

In pursuance thereof I now beg to submit this application, and trust that my claim for compensation, to which, as your honor will doubtlessly admit, I am fairly entitled, may be adjusted at your earliest convenience.

The lands in question consisting of abount 5 Cawnies are situate at Attapaliem Royapoorum, and previous to their bring covered by the Sea, were used as an extensive Timber yard. Owing to the encroachment of the Sea caused, as already stated, by the construction of the Harbour, I have become necessarily a heavy loser in the rental of the lands heretofore realized by me.

I therefore respectfully solicit that after due enquiry a fair amount of Compensation may be disbursed to me.

I beg to remain &ca.,

(Signed) N. AUDENARRAINSAWMY NAICKER.

No. 621.

Madras, 21*st November* 1879.

From

THE SUPERINTENDENT,
Madras Harbour Works.

To

N. AUDENARRAINRAWMY NAICKER,
Boat Overseer,
Master Attendant's Office.

Sir,

In reply to your letter of the 19th instant, with enclosure, I must ask you to point out or mark out the exact limit North, South and West of your land. This you can do either on the ground itself or on a plan in this Office.

Secondly, I must see your title to the property, and the books or accounts showing that you have lost money owing to the encroachment of the Sea, also please state the amount of your claim.

With this information I shall be able to report your claim, with others to Government, and await their decision in the matter.

I have the honor to be

Sir,

Your most obedient servant.

(Signed) F. N. THOROUGHGOOD,
Superintendent,
M. H. Works.

Madras, 24*th November* 1879.

To

F. N. THOROUGHGOOD, Esq.,
Superintendent,
Madras Harbour Works.

Sir,

In reference to your honor's letter of the 21st November 1879, I beg very respectfully to submit the following information in regard to my land situate at Attapaliem. Many years ago the land was purchased by my late elder brother Veerasawmy Naicker from Yachoo Moodelly Vencatachella Moodelly Gnanapa Moodelly. The Certificate Number is 762, and the entire extent originally consisted of 5 Cawnies 5 Grounds and 2,000 Square feet. Of this 12 Grounds and 1,400 Square feet were sold to the Municipality on the 8th October 1862. He afterwards sold the entire extent to one Vencatasa Chetty from whom I re-purchased it on the 30th November 1867. Subsequent thereto I got Messrs. King & Co., to sell 4 Grounds at Auction for me which brought the low rate of Rs. 185 per Ground. My title to the property is proved, by the enclosed deed of sale duly Registered. The fact of the Certificate Number and the measurement of the land, may be readily ascertained by a reference to the Madras Collector's records after the above two sales were made there remained 4 Cawnies 13 Grounds and 600 Square feet a large portion of which has been covered by the Sea. It is bounded on the North side by confines of Tondiarpettah Village, on the South by Nayapaukum Veerasawmy Naicker's land on the West by Roman Catholic Church high road, these are the limits but in addition, I shall point them out in the plan in your honor's Office.

The 4 Cawnies and 13 Grounds make 109 Grounds and at the low rate of Rs. 185, per Ground at which Messrs. King & Co., sold at Auction there will be due to me Rupees 20,165. This is the amount of my land claim.

I beg to remain &ca.,

(Signed) N. AUDENARRAINSAWMY NAICKER.

No. 657.

Madras, 2*nd December* 1879.

From

THE SUPERINTENDENT,
Madras Harbour Works.

To

N. AUDENARRAINSAWMY NAICKER,
Madras.

Enclosure 1.

The undersigned has the honor to return the Deed of Sale dated 25th January 1871 and signed by King & Co., for Rs. 703 and to state in reply to N. Andenarrainsawmy Naicker's letter of the 24th November 1879, that his claim for

Compensation for land, cannot be settled yet, but it will be reported to Government in due course.

(Signed) F. N. THOROU~~GH~~GOOD, W
Superintendent,
M. H. Works.

MADRAS, *9th June* 1880.

To

THE SUPERINTENDENT,
Madras Harbour Works.

SIR,

Having not heard further about my claim for Compensation of land mentioned in my letter of the 24th November 1879, and your letter of the 2nd December 1879. I beg to send this as a reminder to my first letter of the above date and beg to draw your early attention to this.

I beg to remain &ca.,
(Signed) N. AUDENARRAINSAWMY NAICKER.

No. 176.

MADRAS, *12th June* 1880.

From

THE SUPERINTENDENT,
Madras Harbour Works.

To

N. AUDENARRAINSAWMY NAICKER,
Boat Overseer, Madras.

ENCLOSURE.

Audenarrainsawmy is reminded that prior claims to his have to be settled and although the Superintendent has not forgotten his claim he can take no action in the matter.

The Superintendent would remark that he cannot support the claim himself, as he fails to see wherein the damage lies, but in due course the case will come before Government.

(Sigdned) F. N. THOROU~~GH~~GOOD, W
Superintendent,
M. H. Works.

MADRAS, *28th October* 1880.

To

THE SUPERINTENDENT,
Madras Harbour Works.

SIR,

Referring to your Memo No. 176 M. dated 12th June 1880, I beg to know what further steps have been taken in regard to my claims as the ground under dispute is being gradually washed away by the Sea which is greatly detrimental to my interest.

The favor of an early reply is requested.

I have the honor &c.
(Signed) N. AUDENARRAINSAWMY NAICKER.

MADRAS, *2nd November* 1880.

From

THE SUPERINTENDENT,
Madras Harbour Works.

To

N. AUDENARRAINSAWMY NAICKER,
Boat Overseer.

ENCLOSURE.

No. 461 M.

The undersigned has the honor to acknowledge the receipt this day of N. Audenarrainsawmy's letter dated 28th October in which an early reply is requested, the letter having been apparently 5 days coming from the Marine Office here.

No decisive steps have been taken with regard to N. Audenarrainsawmy's claim as the whole matter involves much consideration. The undersigned would recommend that the Collector of Madras be applied to.

(Signed) F. N. THOROU~~GH~~GOOD, W
Superintendent,
M. H. Works.

MADRAS, *9th November* 1880.

To

THE SUPERINTENDENT,
Madras Harbour Works.

SIR,

I have the honor to acknowledge the receipt of your letter No. 461, M. of 2nd Instant and regret to find that the matter under dispute left undecided by you. I may bring to your recollection that I have already applied to the Collector who directed me to have the register of the land in question and refer the claim of compensation to your Department.

I must also further beg to observe that Mrs. Saddler who also had a similar claim had her case disposed of by you.

I therefore humbly beg that you will be pleased to give your due consideration and render me justice at your earliest convenience before the remaining portion of the land is washed away by the Sea.

I beg to remain &c.
(Signed) N. AUDENARRAINSAWMY NAICKER.

K. B. Press, Madras.

2130
40

ASHAR
186

Bm 3937/18
3

Rw Simla/4559 /17

Copies of correspondence between petitioner and the local authorities regarding his claim for Compensation and the delay in disposing of the same

RAS HARBOUR

2130/41

COPIES OF
NAYAPAUKUM IYAPAUKUM AUDENARRAINA NAYAGUR'S TESTIMONIALS.

I have known Audenarraina for upwards of five years, and can safely recommend him as a most attentive, steady, and persevering public servant. In his capacity of Boat Maistry he has performed the work of Deputy Overseer which requires much intelligence and honesty in checking the Accounts of boats engaged for the public service. They have frequently been most searchingly scrutinized, and have invariably been found correct. His salary is small, and as he wishes to obtain some situation in which there is more prospect of rising, I sincerely trust he may be successful, fully believing that he will afford satisfaction wherever employed.

30th June 1858. (Signed) I. J. FRANKLIN,
Secretary, Marine Board.

N. Audenarraina Naick was very attentive to me during the time the "Cambrian" was in Madras roads.

(Signed) JAMES McCLEVERTY,
Commodore.

H. M. S. "CAMBRIAN,"
6th May 1861.

SIMLA, *5th August* 1868.

Audenarrainen having asked me to grant him a Certificate on my retiring from Office, I have much pleasure in testifying to the very meritorious manner in which he has conducted his duties as Deputy Boat Overseer and subsequently as Boat Overseer during the time he has been employed under my orders. He has always been most assisduous in their performance and invariably at his post when required.

(Signed) I. J. FRANKLIN,
Late Superintendent of Marine.

Certified that I have known Audenarainasawmy, Boat Overseer for 15 years, and it is with great pleasure that I bear record to the unwearied diligence and perseverance with which this Official has attended to, and carried out the harrassing duties of his Office. Day and night has he constantly been at his post at the Office, ready for any emergency, that may arise on the beach or afloat, to render assistance with his Staff of Boat and Catamaran men. In cases of Shipwreck he has proved very useful in saving life, and I feel it my duty before leaving Madras, to grant this brief testimonial of my appreciation of his valuable Services in Connection with the port.

(Signed) H. D. E. DALRYMPLE,
Master Attendant,
Administrative Dept.

MARINE OFFICE,
17th February 1874.

AUDENARRAINA NAICKER.

As I am now leaving Madras for an indefinite period I have much pleasure, in taking leave of you, to testify that having known you in connection with the Marine Department since September 1851, and also since my own connection with the Office in 1868, I have always trusted to you to supply Boats for the Shipment or landing of Government Stores and that you have never in one instance failed me. Indeed you have ever been ready on any emergency, at all hours, as well in fine or bad weather. I can only add, in thanking you for your uniform courtesy and attention to myself, I wish you every success and remain your Friend and well wisher.

(Signed) H. BURTON,
3rd Asst. Master Attendant.

MADRAS,
2nd May 1874.

Always at work early in the morning, and late at night. Is hardworking and diligent, and performs the duties of his Office very efficiently.

(Signed) I. B. CROWTHER,
Deputy Master Attendant.

I can only add to the above, that since writing same up to date, Audenarrain has continued to prove the good opinion therein expressed of him.

(Signed) I. B. CROWTHER,
Deputy Master Attendant.

30th August 1877.

No. 126.

Master Attendant's Office,
Executive Department,
MADRAS, *17th January* 1879.

I hereby certify that the duties of the Boat Overseer N. Audenarrain Naick requires his almost constant presence at this Office, or on the Beach or Pier as the case may be; both day and night, during his brother's lifetime he had some little leisure at nights, but since the death of his brother, Veerasawmy Naick, I may safely assert that he lives and sleeps at the Office; a Commodious room being expressly placed at his sole disposal for that purpose,

Given under my hand and Seal this Seventeenth day of January 1879.

(Signed) T. E. MARSHALL,
Deputy Master Attendant.

K. R. PRESS, MADRAS.

MADRAS HARBOUR WORKS

Pr 3932/81
2

Pr Incl 3/4559/81

Copies of N. I. Audenarraina Naicker Testimonials

MADRAS [illegible]

TO

THE HONORABLE W. HUDLESTON,
PRESIDENT, & GOVERNOR IN COUNCIL,
FORT SAINT GEORGE,
OOTACAMUND.

The humble Petition of Nayapaukum Iyapaukum Audinarrain Naicker, Boat Overseer, Master Attendant's Office, Madras.

HUMBLY SHEWETH,

†No letter from Petnr in P.W.D.

That on the 16th May last, your Petitioner ventured to trouble Government with his claim for compensation in respect of a piece of land situated on the beach of Madras, and encroached upon by the sea since the commencement of the Harbour Works, and your Petitioner humbly submits, that the non-adjustment of such claim is a great grievance to your Petitioner.

2. That although his correspondence with the Municipal, Revenue, and Harbor Works functionaries on the subject began in, or before November 1879, it was not until June 1880, that the Superintendent of the Harbour Works, in reply to a reminder from your Petitioner, intimated to him that "prior claims to his have to be settled, and that although the Superintendent had not forgotten his claim, he can take no action in the matter." But what your Memorialist has greater reason to complain of is, that it is apparent from the Memo adverted to, that his case had not until then, and perhaps not until a long time after, been referred to Government, for the said Superintendent remarked, that "he cannot support the claim himself, as he fails to see wherein the damage lies, but in due course, the case *will come* before Government."

3. Had this opinion been expressed at the early stage of the correspondence, your Petitioner would have lost no time, in justice to himself, in appealing to Government, and praying for an early settlement of his claim.

4. That your Petitioner thinks there are two important points in his case which deserve the consideration of Government, that is to say, the extent of the ground, for which he is entitled to claim compensation, and the rate per Cawny at which such compensation should be awarded.

5. That with reference to the first point, your Petitioner humbly submits, that the original area of the land, as per Collector's Certificate bearing No. 762, dated 26th February 1802, was 5 Cawnies 5 grounds and 2000 square feet. On the 8th October 1862, a portion measuring 12 grounds, and 1400 square feet was sold by your Petitioner's elder Brother to the Madras Municipality, and until the date of such sale, Quit rent was charged for the original extent, and paid by him. The remaining portion of the land was sold to one Vencatasa Chetty from whom your Petitioner re-purchased the same on the 30th November 1867. The deeds evidencing both these sales contain the measurement of the said land.

On the 25th January 1871, Messrs. King & Co. sold by auction on behalf of your Petitioner, a further portion at Rs. 185 per ground; and deducting the two portions which passed by the sales referred to, there remained 4 Cawnies 5 grounds and 600 square feet, and on this area Quit rent was, as will be proved by the records of the Collector's Office, and receipts in your Petitioner's possession, recovered from your Petitioner until a short time ago, when it was reduced to 4 Cawnies 1 ground and 600 square feet. Your Petitioner humbly submits therefore, that his claim to compensation for the said extent of land cannot now be called in question, inasmuch as the whole of it has been, or will shortly be under water by reason of the Harbour Works.

6. That your Petitioner deems it necessary to dwell upon the aforesaid circumstances, as he is informed, and believes, that it was reported to Government that encroachments had commenced in 1860, and that the land was thereafter gradually submerged. With all deference to such suggestion as aforesaid, your Petitioner would humbly crave leave to submit, that at the date of the re-purchase by him of the said land, viz. the 30th November 1867, its area was, as the Deed of sale will prove, ascertained by actual measurement, so that although seven years had elapsed between the time of the commencement of such alleged encroachment, and his re-purchase as aforesaid nothing of it was then discovered. Besides the mere fact of your Petitioner having been required by the Revenue authorities to pay Quit rent on the 5 Cawnies 1 acre and 600 square feet, and of Your Petitioner having quietly submitted to such payment would make it very unfair to him if any weight were attached to the said suggestion when awarding him the compensation he is entitled to claim from a just and impartial Government.

7. As regards the amount of compensation, your Petitioner craves leave to state that the price realized at the auction sale referred to was much below the value of the land, as the circumstances which gave rise to the sale were unfavorable to your Petitioner. Similar lands were sold at even Rs. 1000 per ground by the Municipality, and the Government have already paid one Mrs. Saddler a reasonable compensation for her land encroached upon by the sea by reason of the Harbour Works; and, in reference to his case, your Petitioner cannot but hope that he will receive similar consideration, although to his keen misfortune there has not been the same delay in settling her claim, as there has been in that of your Petitioner.

Your Petitioner humbly and earnestly prays therefore that the Government will be graciously pleased to grant him a compensation adequate to the heavy loss which he sustains by reason of the encroachment referred to.

8. Your Petitioner is an old servant of Government as the testimonials,—of which he submits copies,—will prove—and your Petitioner would add that he has always been looking forward to the land in question as a source of some help to him in his declining years. He humbly hopes therefore, that the Government will be graciously pleased to grant a favorable hearing to his prayer.

And your Petitioner shall, as in duty bound,

EVER PRAY.

Madras,
2nd July 1881.

N. Venkatarama Sawmy Naick
Boat overseer in the
Master. Attendant's Offi

Pr 2227/81

1881.

DEPARTMENT.

Pr Encl 2 / 4559/81

From

N. I. AUDINARRAIN NAICKER,
Boat Overseer,
Master Attendant's Office,
Madras.

To

THE PRESIDENT,
and Governor in Council,
Fort Saint George,
OOTACAMUND.

Dated

Received

No.

ENCLOSURES TWO.

No.

Complaining of the delay in the consideration and disposal of his claim for compensation to land at Royapoorum encroached upon by the sea by reason of the Harbour Works, and praying for early orders on the subject.

MADRAS HARBOUR
JUL 1
1881
WORKS

2139/65

To
The Honorable C G Master,
Chief Secretary to Government,
Ootacamund

Honorable Sir

In taking the liberty of forwarding herewith four Copies of my petition to Government regarding the delay in disposing of his claim for compensation to land encroached upon by the Sea by reason of the Harbor Works, I solicit the favor of your kindly laying the same before the Governer in Council, and giving it such support as you may deem my case deserving of.-

It is now pending for two years, whilst in the Case of Mr Saddler a similar Claim was settled eight months ago.

Madras
July 2nd
1881

I beg to remain,
Honorable Sir,
Your most obedient,
humble servant,

N Audinarrainsawmy Naick
Boat Overseer in the
Master Attendants Offi

G. G. – No 758 W. d/ 13 March /79 Origl.
Memo: No 42 d/ 4th May 1880
Mi No 1240 A. W. d/ 25th May 1880
" " 1713 W. d/ 19th July 1880
G. G. No 2873 W. 7th Dec 1880
No 316 W. d/ 4th Feby 1881
B. No 492 W. d/ 22nd Feby 1881
G. G. No 561 W. d/ 1st March 1881 Origl.

P. W. C. No 3937

E-3 (with 3.2.0)

No 277.

Referred to the Superintendent Madras Harbour Works for remarks.

Recd: 8 July '81

No Encl 1 / 4559 /81

21 S.O.

Received July 4th/81

R. H. Sankey Col R.E.
Secty. to Govt. P.W. Dept.

Ootacamund
14th July /81.

MADRAS HARBOUR WORKS

[illegible] 11.7.81
[illegible] 11/7

O. Referred

No. 34 W P. 25 – 920/25

From

THE SUPERINTENDENT,
MADRAS HARBOUR WORKS,

To Colonel R. H. Sankey C.B. R.E.
Secretary to Government P. W. Dept.
Buildings and Roads,
Fort Saint George.

MADRAS, 11th August 1881.

Enclosure one

Ent Copy

SIR,

I have the honor to return herewith the petition of Audenairrainsawmy Naick bearing your endorsement No 277 July 14. 1881.

2. With reference to the petitioner's complaint that his claim was more slowly taken up than that of Mrs Sadler, to whose claim he refers, it should be borne in mind that her claim was preferred in November 1877, or two years before that of the petitioner – He is therefore incorrect in the conclusion he draws by comparing the two cases.

3. With regard to paragraph 7 of the petitioner's letter to the Honorable

the Governor in Council it must be remembered that the compensation to Mrs. Sadler was mostly for a brick building and a well which were washed away by the sea and rendered useless. The land of the petitioner has been encroached upon by the sea but has still been of value for purposes of stacking timber.

4. As regards the amount of the petitioner's claim (Rs. 20,165) I have always thought it unreasonable and exorbitant.

5. As the whole question of compensation on account of sea damage is now before Government, and as the estimated value of the petitioner's land is given in the papers returned with my letter

218/48

No. 33 W of August 10th I think there is nothing more left for me to remark upon.

I have the honor to be,
Sir,
Your most Obdt. Servant

F. N. Thorowgood
Superintendent
M. H. Works

IRW
Exd EpC

13-3-79 h 758 W
7-12-80 - 2823 W
1-3-81 - 581 h

P. W. C. No. 4559

Buildings and Roads

From
The Superintendent
Madras Harbour Works

No. 34 W
Dated 11th August 1881
Recd 12th

No. of Enclosures one

Compensation for land

Returns petition from Audinarrainsawmy Naick with remarks

13-8-81 P. 26-8-81

I concur in [illegible] submitting
[illegible] the Government.
Ask the compensation
This is a preliminary
question as to the nature
of the claimant's title
needs to be settled.
The Dy Colr's letter of
[illegible] March [illegible] enclosed in
the Colr's report [illegible]
that the grants [illegible] by
which the land is held
for 99 years conditions
on a [illegible] fine on
renewal after each term
of 30 years. But that
both conditions have been
waived by order of Govt.
The G.O. of 5 Sept 34. No. is
[illegible]. [illegible]
only the fine on renewal
8.8.81
26.8.81

For orders

The file is more complete
showing the ~~compensation~~ amount
which will have to be
under the compensation [illegible]
[illegible] of the
Harbour — The amount
is about Rs 70000, and
as the [illegible]
seems to think that
[illegible] the Government
[illegible] committed [illegible]
[illegible] his [illegible] letter [illegible]
[illegible] distance
[illegible] become [illegible] on a
[illegible] debit on [illegible]
[illegible] purchases, I
venture to think that
the compensation should
be fixed [illegible] the property
required so as to [illegible]
[illegible]
[illegible]
[illegible]
[illegible]

which could with proper precautions be so managed as in no wise to endanger the general effect produced by the resettlement; these could be used both for the purposes of storing timber and for [illegible] Government could in this way after acquiring the houses &c. just as such of them as seem capable of being retained &c. to ascertain & secure itself in a measure for the outlay.

In any case however it appears to me that there should be no delay in finishing the resettlement as quickly as possible. Mr. Parkes may possibly object to the amount spent on the [illegible]

I see nothing to support the Stat.t that the [illegible] lease tenure of 99 years had been extinguished or converted into a perpetual lease or an absolute proprietary title. & it seems probable that the original grants have not for many years been [illegible] & that the lessees' property in the grounds is of much smaller value than has been claimed or assigned to it. The property in Buildings on leasehold sites reverts on expiry to the Lessor I believe. The property in the sites has not been parted with.

I think further enquiry is needed on these points. R. I believe I wrote before.

See the notes on Mr. Parkes Report.

16/8/81

in the resettlement being charged against the Harbour Estimate, and as no doubt there is a good deal to be urged from ~~the~~ this point of view the S of S might be asked to sanction specific sums for these items and the moorings so as not to interfere with the Estimate as originally sanctioned.

There would thus be a "Supplemental" Estimate embracing these extra items — and for account purposes the whole would be included under the Harbour Estimate.

Order solicited

15.8.81

13-8-81 Br. 26-8-81

B H
Work

No 2130 W

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 26th Aug 1881

Read the following :—

ment of the Revenue Dep-
t on Proceedings of the
of Revenue - No 666 d/ 13th
1881
} A. E. No 1179 d/ 2nd May 1881.

Read Again

G. O. No 1319 W dated 23rd May 1881.

Read also.

from Audenarrainswamy Naick d/ 2/7/81.

from the Superintend-
adras Harbour Works
} H. E. No 33 W d/ 10th Augst 81.

– – do – A. E. No 34 W d/ 11th Augst 81.

ith the short-returns
nnecting the revetment
ith the shore

The Honorable the Governor in Council considers that the longitudinal revetment to the North of the Madras Harbour, ordered in para 2 of G.O. 561 W. dated 1st March 1881 to be proceeded with, should be pushed on as speedily as possible. By leaving occasional blanks in the seawall, there will probably, under proper arrange-

-ments, be no reason to apprehend danger to the work generally; and the landing of timber, as well as fishing, would still be practicable.

2 - As regards the cost of the work as well as of the moorings, the best plan will probably be to include the extra items in a separate statement, which would, with the sanction of the Secretary of State, form a "Supplemental" estimate. The requisite steps with this view will be taken on receipt from the Superintendent of the Harbour works of a complete estimate of the cost, which should be submitted as early as practicable

3 - The Government have not as yet received all the information requisite to enable them to deal with the question of Compensation for damage to existing holdings north of the Harbour. It is stated by the Deputy Collector in his letter No 319 dated 29th March 1881, embodied in the Collector's letter of the 30th March 1881, that all the grants on which the claimants hold their land are restricted to 99 years, a penalty being payable on renewal of the lease after each term of 30 years - but that both conditions have been waived by orders of Government - The order of the 5th September 1874 No 784 sent up in support of this position relinquishes only the fine on renewal of Grant. There is nothing in the papers before Government to support the statement that the terminable lease tenure of 99 years has been relinquished or converted into a perpetual lease, or an absolute proprietory title. It seems probable that the original grants have not many years to run and that the lessees property under the grants is of much smaller value than has been claimed, or assigned to it. The property in the sites has not been parted with, and that

13.8.51

~~Hon. the [illegible]~~

in the Buildings requires further investigation; it being understood that property in Buildings on leasehold sites vests on expiry in the lessor.

4 - Further enquiry on these points is needed, and should be made by the Collector, the result being reported at an early date.

17.8.91

To

The Superintendent
Madras Harbour Works

Revenue Department
Marine Department

recd 11/9/81

R. 26.8.91
[illegible] 15/8 - Cir 23/8. Rd. [illegible]

H. d/c
20/11/39 II

4541 74539

Govt. of (1881) Madras

PUBLIC WORKS.

To

Dated

Issued

Recd. 26/8

Encl.

24.8

G. O. 26 Augt 1881, No. 213

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Compensation for erosion

of the Madras Harb

on Correspondence

Entd & [illegible]