Ar. No. 8836

Govt. of {1883} Madras.

REVENUE.

Issued

Recd. 11/10/83 Encl. 2 Copies

G.O., 3rd September 1883, No. 1073.

S.J.C.
No. 2928 W. a/16th Oct/83

SEPTEMBER.

Lands in the bed and on the margin of the Adyar.

Orders passed on papers regarding —, erroneously granted on planting cowles to Messrs. Barclay and Morgan and Mr. Strange.

2 copies Sent to Collr
With order
to Board
Entd in Recpt. Regr

No. 2928 W. a/16th Oct/83
B

Communicated to the S.E. Fifth circle

CJ. 12/10

2.C.
B.Bo. 18 & W. 21-1-84.

Dew 17/11

S.E. Fifth circle
with 2 enclos.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read again :—

Read G.O., dated 5th June 1882, No. 585, Revenue :—

Abstract.—Passing orders on papers regarding certain land in the Adyar granted on cowle by the Collector of Madras.

Read—letter from Colonel H. L. PRENDERGAST, R.E., Superintending Engineer, Fifth Circle, to the Chief Engineer, Public Works Department, dated Chepauk, 14th August 1882, No. 1814 :—

With reference to G.O., No. 1589 W.,* dated 22nd June 1882, I have the honor to enclose copies of correspondence† that has taken place between the Executive Engineer, Buckingham Canal, and Mr. Barclay on the subject of the surrender of the lands bordering on the Adyar.

2. Mr. Barclay engages on behalf of Mr. Morgan, in the concluding part of his letter of 3rd August 1882, to give up the lands, if the outlay incurred be refunded, provided the Secretary to Government, Public Works Department, certifies that the land is required for a specific object.

3. Pending the orders of the Government upon this offer, and on Mr. Strange's similar offer, as per G.O., No. 1589 W., of the 22nd June 1882, proceedings will not be instituted to recover possession.

* On Revenue G.O., dated 5th June 1882, No. 585.

† 1 Executive Engineer's letter, No. 930, of 31st July 1882.
1 Mr. Barclay's letter of 3rd August 1882, with twelve enclosures.
1 Executive Engineer's letter, No. 962, of 4th August 1882.
1 Mr. Barclay's letter of 7th August 1882.

No. 632 E.

Transferred to the Revenue Department with reference to the orders in that department, No. 585, dated 5th June 1882.

Ootacamund,
24th August 1882.

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

Read—Official Memorandum from E. F. WEBSTER, Esq., Secretary to Government, Revenue Department, dated Ootacamund, 4th September 1882, No. 421:—

In returning the papers covered by the Public Works Department docket, dated 24th August 1882, No. 632 E, the undersigned has the honor to observe that the question of certifying that the land is required for some specific object, which is one of the conditions on which a proposal of surrender is made in Mr. Barclay's letter of the 3rd idem, seems to be one for consideration in the Public Works Department. The somewhat novel proposal in his later communication,‡ that the land surrendered on payment of the amount actually spent on it should be left in Mr. Morgan's occupation until such time as Government may require to make use of it,

‡ Dated 7th idem.

in order that he may in the mean time grow casuarina trees for his own benefit, also seems to need consideration in the Public Works Department.

2. When the terms of surrender are settled, the amount of compensation to be paid for labor spent on the land will be ascertained through the Collector in the Revenue Department.

To the Public Works Department, with papers.

Read G.O., dated 15th February 1883, Mis. No. 675, Revenue.

Read—again the following Proceedings of the Board of Revenue, dated 26th September 1882, No. 2378; and Endorsement of the Secretary to Government Revenue Department, dated 5th October 1882, Mis. No. 3255.

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated 31st July 1882, No. 318 :—

I have the honor to forward the report referred to by the Board in their Proceedings, No. 368, dated 2nd February 1882, on the claim of the Adyar Zamindar to a portion of the land granted to Messrs. Barclay and Morgan for planting casuarina.

2. The piece of land referred to consists of three fields, Nos. 296, 298, and 299, all of which are held on puttas granted by the Adyar Zamindar and form part of a block of land within the existing boundary of the Madras district.

3. Two out of the three Nos., viz., Nos. 298 and 299, appear in the paimash accounts of the Chingleput district as river and are thus as Poramboke not included in the Zamindari. The whole promontory of which they form part is an accretion formed by the river, and consequently the boundary of the Madras district which in Regulation II of 1802, Section 12, is defined to be the southern bank of the Saint Thomé (Adyar) river is properly marked to include this block of land. The remaining No. 296 is of small extent and appears in the paimash as dry. Whether the fact that the Zamindar and those acting for him have so long (fourteen years) acquiesced in the existing boundary that any rights they may have had have been forfeited I leave to the Board to determine. As far as can be discovered, both districts appear to have been represented when the boundary between the districts was laid down by the Survey Department. A plan is enclosed.

Enclosure.—Plan.

Reference on the above, dated 4th September 1882.

The Collector is requested, if possible, to send for the Board's inspection the original map from which the sketch forwarded by him has been apparently copied. It is not stated upon what survey it is based.

(Signed) E. GIBSON,
Acting Secretary.

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated 8th September 1882, No. 350 :—

Adverting to the Board's reference on General Register No. 4385 of 1882, I have the honor to inform you that the sketch (herewith returned) was made from the enclosed map, the details being filled in on the spot from the boundary stones and other local features.

Enclosures Nos. 1 and 2.—Plans.

Reference on the above, dated 13th September 1882.

The Collector is requested to state what is the paimash referred to as showing No. 296 as dry. Is it that of Chingleput or Madras; and if the former, how does it happen to specify particulars of fields in a Zamindari?

(Signed) E. GIBSON,
Acting Secretary.

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated 15th September 1882, No. 361 :—

Adverting to the Board's reference, dated the 13th instant, on General Register Nos. 4385 and 5173 of 1882, I have the honor to state that the entry "No. 296 dry 288 N×120 E Cawnies 0-9-0" in my letter of the 31st July, No. 318, is justified by a statement in a letter, No. 495, dated 23rd August 1881, on the subject of the Adyar Zamindar's claims from the General Duty Deputy Collector, Chingleput District, who had seen a copy of the paimash accounts of the Adyar Zamindari furnished by the agent of the guardian to the minor proprietors of the Adyar Zamindari. The paimash referred to is not that of Madras.

Resolution—dated 26th September 1882, No. 2378.

Submitted to Government with reference to G.O., dated 3rd January 1882, No. 4, and G.O., dated 5th June 1882, No. 585.

2. From the information afforded by the Collector it is clear that the Zamindar has no right to Nos. 298 and 299 which comprise the bulk of the land concerned. As regards No. 296, it would seem that the Zamindar's title is probably good, and the question to be decided is whether the boundary, which has apparently been wrongly demarcated, should now be revised so far as this plot is concerned. This is a point upon which the professional officers of the Public Works Department will be able to advise. If it should be considered necessary to include this number within the river limits in the interests of conservancy, the Zamindar would probably be entitled to compensation.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue Department, with two plans to be returned.

Copy to the Collector of Madras, with enclosure No. 5173 returned.

„ to the Collector of Chingleput.

Mis. No. 3255.

Transferred to the Public Works Department.

(Signed) E. F. WEBSTER,
Secretary to Government.

Read—also the following G.O., dated 6th January 1883, No. 34-W, Public Works :—

Read—the following letter from the Superintending Engineer, 5th Circle, dated 19th December 1882, No. 3335 :—

With reference to G.O., No. 2693-W, dated 16th October 1882, I have the honor to report that plot No. 296, referred to in paragraph 2 of the Proceedings of the Board of Revenue, No. 2378, dated 26th September 1882, is not required for the purposes of conservancy of the Adyar river.

1 map.
1 rough sketch.

Order—dated 6th January 1883, No. 34-W, Public Works.

Communicated to the Revenue Department with reference to its endorsement, No. 3255, dated 5th October 1882.

(True Extract.)

(Signed) C. C. RAWSON, Captain, R.E.,
Ag. Under Secy. to Govt., P.W.D.

To the Secretary to Government, Revenue Department, with two enclosures.

Order—dated 15th February 1883, Mis. No. 675, Revenue.

Ordered that the papers be retransferred to the Public Works Department with the remark that, although No. 296 may not be required for the purposes of river conservancy, the matter must be dealt with as a whole.

2. Apart from the rest of the block, it is not likely that this small plot will be of any use to Mr. Morgan; but if he wishes to retain it, the terms on which this can be permitted will be one of the conditions of surrender, required by G.O., 5th June 1882, No. 585, to be reported for sanction.

3. There seems to be little doubt that the plot is included within the boundaries of the land resumed and acquired by Government in 1858—64, and probably the Zamindar's claim is barred. If Mr. Morgan retains the plot, he will of course have to make his own terms with the Zamindar; but if it is surrendered and not required by the Public Works department, it may be left to be dealt with separately by this department.

4. In the event of the Advocate-General advising a suit and requiring further information than the Superintending Engineer's inquiries on the spot can afford, the Board will be desired to return a distinct finding as to whether the Zamindar's claim to this plot is admissible or not; but to enable them to do so, all the information obtained by the Superintending Engineer must be communicated through this Department.

(True Extract.)

(Signed) P. P. HUTCHINS,
Ag. Secretary to Government.

To the Public Works Department, with two plans.
„ the Board of Revenue.

Read—also the following G.O., dated 9th August 1883, No. 2208 W., Public Works :—

Read—the following letter from the Superintending Engineer, Fifth Circle, to the Chief Engineer, Public Works Department, dated 14th July 1883, No. 1485 :—

With reference to G.O., No. 596 W., dated 23rd February 1883, I have the honor to report that in my letter, No. 1814, of the 14th August 1882, I have stated (in reply to G.O., No. 1589 W., of the 22nd June 1882), the conditions on which Messrs. Morgan and Strange are willing to surrender their lands bordering on the Adyar, viz., on their having the outlay they have incurred refunded, and on its being certified that the land is required for a specific object.

2. Mr. Barclay has stated that Mr. Morgan will not care to retain Plot No. 296, but will surrender it on payment of the amount expended on the trees up to date.

3. I enclose a survey and schedule showing the area and description of the lands required for training the Adyar river, and describing the boundaries and

extent of the land to be resumed by the Government, as called for in your memorandum, No. 725 E, dated 13th September 1882. Plot No. 296 is not included in the area marked on the survey. The Executive Engineer cannot ascertain whether this plot was included in the land acquired by Government in 1858—64.

4. The total extent of land required to be taken up for flood and training banks is 88·99 acres and consists of—

	Acres.
Government waste	41·45
Ground in the Government Farm	6·82
Zemin land on the south bank belonging to Government, but unauthorisedly encroached upon by the Adyar Zemindar	2·74
Zemin lands on the south bank within the boundary marked out by Executive Engineer Mr. Kennedy, but regarding which it is not known in the Public Works Department whether they were purchased by Government or not	11·23
Land in occupation by Mr. Morgan and now to be recovered ...	22·06
Land in the Chief Justice and Mr. Justice Kernan's compound ...	4·69

Order—dated 9th August 1883, No. 2208 W., Public Works.

Communicated to the Revenue Department for the necessary action, with advertence to the undermentioned communications from that department :—

Memorandum, No. 421, dated 4th September 1882.
Endorsement, „ 3255, „ 5th October „
G.O., „ 675, „ 15th February 1883.

2. It is now certified that the land is required for a specific public purpose, viz., for flood and training banks of the Adyar river.

3. With reference to paragraph 3 of G.O. (Revenue), No. 675, dated 15th February 1883, it will be seen that Mr. Morgan is willing to surrender Plot No. 296, and that it is not required by the Public Works Department.

4. Mr. Morgan's previous proposal, to retain occupation of the land until such time as Government may require to make use of it, cannot be entertained.

(True Extract.)

(Signed) C. BOWEN, Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Revenue Department, with enclosures, as per list.
„ Superintending Engineer, Fifth Circle.

Enclosure—List.

16 Enclosures with endorsement No. 632-E, Public Works, dated 24th August 1882.

Endorsement, Revenue Department, No. 3255, dated 5th October 1882.

5 Enclosures (including 3 plans) of Superintending Engineer's letter, No. 1485 (in original to be returned), dated 14th July 1883.

Order—dated 3rd September 1883, No. 1073, Revenue.

Land Revenue, No. 158.

The Board of Revenue will instruct the Collector of Madras to settle and report the amount of compensation fairly claimable for the outlay which Messrs. Morgan and Strange have incurred

in planting. As Mr. Morgan seems to be willing to surrender Plot No. 296, the Government consider that it had better be also re-acquired.

2. The Superintending Engineer in his letter, communicated in the last of the papers read above, brings to notice that other spots on the margins of the Adyar, some belonging to and at the disposal of Government, some forming parts of private property and some in a doubtful category as to actual ownership, are required for flood and training banks. These form no necessary part of the question before Government in connection with the recovery of the plots of land erroneously and unauthorisedly granted on cowle by the Revenue authorities; but the Collector will, in communication with the Public Works authorities, make the necessary enquiries in view to the acquisition of the several spots specified. Of course the necessary provision for compensation in a duly sanctioned estimate is an essential preliminary to the actual acquisition of the land.

(True Extract.)

(Signed) H. E. STOKES,
Ag. Secretary to Government.

To the Board of Revenue, with sixteen enclosures, to be returned.
„ Public Works Department.

Exd. J. Henricus.

60 Copies.

Govt. of {1883} Madras.

REVENUE.

No: 2928 W of 16th October 1883

Communicated to the S. E. Fifth Circle & of C. B. & C. S.

Issued

Recd. *Encl.*

G.O., 3rd September 1883, No. 1073.

No: 2928 W of 16th October 1883

SEPTEMBER.

Supy. Engr. Fifth Circle with 2 enclos.

Lands in the bed and on the margin of the Adyar.

Orders passed on papers regarding —, erroneously granted on planting cowles to Messrs. Barclay and Morgan and Mr. Strange.

With Order

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ again :—

READ G.O., dated 5th June 1882, No. 585, Revenue :—

ABSTRACT.—Passing orders on papers regarding certain land in the Adyar granted on cowle by the Collector of Madras.

READ—letter from Colonel H. L. PRENDERGAST, R.E., Superintending Engineer, Fifth Circle, to the Chief Engineer, Public Works Department, dated Chepauk, 14th August 1882, No. 1814 :—

With reference to G.O., No. 1589 W.,* dated 22nd June 1882, I have the honor to enclose copies of correspondence† that has taken place between the Executive Engineer, Buckingham Canal, and Mr. Barclay on the subject of the surrender of the lands bordering on the Adyar.

2. Mr. Barclay engages on behalf of Mr. Morgan, in the concluding part of his letter of 3rd August 1882, to give up the lands, if the outlay incurred be refunded, provided the Secretary to Government, Public Works Department, certifies that the land is required for a specific object.

3. Pending the orders of the Government upon this offer, and on Mr. Strange's similar offer, as per G.O., No. 1589 W., of the 22nd June 1882, proceedings will not be instituted to recover possession.

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1 Mr. Barclay's letter of 3rd August 1882, with twelve enclosures.
1 Executive Engineer's letter, No. 962, of 4th August 1882.
1 Mr. Barclay's letter of 7th August 1882.

No. 632 E.

Transferred to the Revenue Department with reference to the orders in that department, No. 585, dated 5th June 1882.

OOTACAMUND,
24th August 1882.

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

READ—Official Memorandum from E. F. WEBSTER, Esq., Secretary to Government, Revenue Department, dated Ootacamund, 4th September 1882, No. 421:—

In returning the papers covered by the Public Works Department docket, dated 24th August 1882, No. 632 E, the undersigned has the honor to observe that the question of certifying that the land is required for some specific object, which is one of the conditions on which a proposal of surrender is made in Mr. Barclay's letter of the 3rd idem, seems to be one for consideration in the Public Works Department. The somewhat novel proposal in his later communication,‡ that the land surrendered on payment of the amount actually spent on it should be left in Mr. Morgan's occupation until such time as Government may require to make use of it,

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in order that he may in the mean time grow casuarina trees for his own benefit, also seems to need consideration in the Public Works Department.

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To the Public Works Department, with papers.

READ G.O., dated 15th February 1883, Mis. No. 675, Revenue.

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2. The piece of land referred to consists of three fields, Nos. 296, 298, and 299, all of which are held on puttas granted by the Adyar Zamindar and form part of a block of land within the existing boundary of the Madras district.

3. Two out of the three Nos., viz., Nos. 298 and 299, appear in the paimash accounts of the Chingleput district as river and are thus as Poramboke not included in the Zamindari. The whole promontory of which they form part is an accretion formed by the river, and consequently the boundary of the Madras district which in Regulation II of 1802, Section 12, is defined to be the southern bank of the Saint Thomé (Adyar) river is properly marked to include this block of land. The remaining No. 296 is of small extent and appears in the paimash as dry. Whether the fact that the Zamindar and those acting for him have so long (fourteen years) acquiesced in the existing boundary that any rights they may have had have been forfeited I leave to the Board to determine. As far as can be discovered, both districts appear to have been represented when the boundary between the districts was laid down by the Survey Department. A plan is enclosed.

ENCLOSURE.—Plan.

Reference on the above, dated 4th September 1882.

The Collector is requested, if possible, to send for the Board's inspection the original map from which the sketch forwarded by him has been apparently copied. It is not stated upon what survey it is based.

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Resolution—dated 26th September 1882, No. 2378.

Submitted to Government with reference to G.O., dated 3rd January 1882, No. 4, and G.O., dated 5th June 1882, No. 585.

2. From the information afforded by the Collector it is clear that the Zamindar has no right to Nos. 298 and 299 which comprise the bulk of the land concerned. As regards No. 296, it would seem that the Zamindar's title is probably good, and the question to be decided is whether the boundary, which has apparently been wrongly demarcated, should now be revised so far as this plot is concerned. This is a point upon which the professional officers of the Public Works Department will be able to advise. If it should be considered necessary to include this number within the river limits in the interests of conservancy, the Zamindar would probably be entitled to compensation.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue Department, with two plans to be returned.

Copy to the Collector of Madras, with enclosure No. 5173 returned.

" to the Collector of Chingleput.

Mis. No. 3255.

Transferred to the Public Works Department.

(Signed) E. F. WEBSTER,
Secretary to Government.

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1 map.
1 rough sketch.

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(True Extract.)

(Signed) C. C. RAWSON, Captain, R.E.,
Ag. Under Secy. to Govt., P.W.D.

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4. In the event of the Advocate-General advising a suit and requiring further information than the Superintending Engineer's inquiries on the spot can afford, the Board will be desired to return a distinct finding as to whether the Zamindar's claim to this plot is admissible or not; but to enable them to do so, all the information obtained by the Superintending Engineer must be communicated through this Department.

(True Extract.)

(Signed) P. P. HUTCHINS,
Ag. Secretary to Government.

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„ the Board of Revenue.

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3. I enclose a survey and schedule showing the area and description of the lands required for training the Adyar river, and describing the boundaries and

extent of the land to be resumed by the Government, as called for in your memorandum, No. 725 E, dated 13th September 1882. Plot No. 296 is not included in the area marked on the survey. The Executive Engineer cannot ascertain whether this plot was included in the land acquired by Government in 1858—64.

4. The total extent of land required to be taken up for flood and training banks is 88·99 acres and consists of—

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Land in occupation by Mr. Morgan and now to be recovered ...	22·06
Land in the Chief Justice and Mr. Justice Kernan's compound ...	4·69

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Memorandum, No. 421, dated 4th September 1882.
Endorsement, „ 3255, „ 5th October „
G.O., „ 675, „ 15th February 1883.

2. It is now certified that the land is required for a specific public purpose, viz., for flood and training banks of the Adyar river.

3. With reference to paragraph 3 of G.O. (Revenue), No. 675, dated 15th February 1883, it will be seen that Mr. Morgan is willing to surrender Plot No. 296, and that it is not required by the Public Works Department.

4. Mr. Morgan's previous proposal, to retain occupation of the land until such time as Government may require to make use of it, cannot be entertained.

(True Extract.)

(Signed) C. BOWEN, Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Revenue Department, with enclosures, as per list.
„ Superintending Engineer, Fifth Circle.

Enclosure—List.

16 Enclosures with endorsement No. 632-E, Public Works, dated 24th August 1882.

Endorsement, Revenue Department, No. 3255, dated 5th October 1882.

5 Enclosures (including 3 plans) of Superintending Engineer's letter, No. 1485 (in original to be returned), dated 14th July 1883.

Order—dated 3rd September 1883, No. 1073, Revenue.

Land Revenue, No. 158.

The Board of Revenue will instruct the Collector of Madras to settle and report the amount of compensation fairly claimable for the outlay which Messrs. Morgan and Strange have incurred

in planting. As Mr. Morgan seems to be willing to surrender Plot No. 296, the Government consider that it had better be also re-acquired.

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(Signed) H. E. STOKES,
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To the Board of Revenue, with sixteen enclosures, to be returned.
„ Public Works Department.

Exd. J. Henricus.

60 Copies.

Govt. of {1883} Madras.

REVENUE.

No: 2928 W of 16th October 1883

Communicated to the S. E. Fifth Circle. S of L. B. U. S.

Issued

Recd. *Encl.*

G.O., 3rd September 1883, No. 1073.

No: 2928 W of 16th October 1883

SEPTEMBER.

Supt. Engr. Fifth Circle with 2 encls.

Lands in the bed and on the margin of the Adyar.

Orders passed on papers regarding —, erroneously granted on planting cowles to Messrs. Barclay and Morgan and Mr. Strange.

With order

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read again :—

Read G.O., dated 5th June 1882, No. 585, Revenue :—

Abstract.—Passing orders on papers regarding certain land in the Adyar granted on cowle by the Collector of Madras.

Read—letter from Colonel H. L. PRENDERGAST, R.E., Superintending Engineer, Fifth Circle, to the Chief Engineer, Public Works Department, dated Chepauk, 14th August 1882, No. 1814 :—

With reference to G.O., No. 1589 W.,* dated 22nd June 1882, I have the honor to enclose copies of correspondence† that has taken place between the Executive Engineer, Buckingham Canal, and Mr. Barclay on the subject of the surrender of the lands bordering on the Adyar.

2. Mr. Barclay engages on behalf of Mr. Morgan, in the concluding part of his letter of 3rd August 1882, to give up the lands, if the outlay incurred be refunded, provided the Secretary to Government, Public Works Department, certifies that the land is required for a specific object.

3. Pending the orders of the Government upon this offer, and on Mr. Strange's similar offer, as per G.O., No. 1589 W., of the 22nd June 1882, proceedings will not be instituted to recover possession.

* On Revenue G.O., dated 5th June 1882, No. 585.

† 1 Executive Engineer's letter, No. 930, of 31st July 1882.
1 Mr. Barclay's letter of 3rd August 1882, with twelve enclosures.
1 Executive Engineer's letter, No. 962, of 4th August 1882.
1 Mr. Barclay's letter of 7th August 1882.

No. 632 E.

Transferred to the Revenue Department with reference to the orders in that department, No. 585, dated 5th June 1882.

Ootacamund, 24th August 1882. (Signed) R. H. SANKEY, Colonel, R.E., Secretary to Government, P.W.D.

Read—Official Memorandum from E. F. WEBSTER, Esq., Secretary to Government, Revenue Department, dated Ootacamund, 4th September 1882, No. 421:—

In returning the papers covered by the Public Works Department docket, dated 24th August 1882, No. 632 E, the undersigned has the honor to observe that the question of certifying that the land is required for some specific object, which is one of the conditions on which a proposal of surrender is made in Mr. Barclay's letter of the 3rd idem, seems to be one for consideration in the Public Works Department. The somewhat novel proposal in his later communication,‡ that the land surrendered on payment of the amount actually spent on it should be left in Mr. Morgan's occupation until such time as Government may require to make use of it,

‡ Dated 7th idem.

in order that he may in the mean time grow casuarina trees for his own benefit, also seems to need consideration in the Public Works Department.

2. When the terms of surrender are settled, the amount of compensation to be paid for labor spent on the land will be ascertained through the Collector in the Revenue Department.

To the Public Works Department, with papers.

Read G.O., dated 15th February 1883, Mis. No. 675, Revenue.

Read—again the following Proceedings of the Board of Revenue, dated 26th September 1882, No. 2378; and Endorsement of the Secretary to Government Revenue Department, dated 5th October 1882, Mis. No. 3255.

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated 31st July 1882, No. 318 :—

I have the honor to forward the report referred to by the Board in their Proceedings, No. 368, dated 2nd February 1882, on the claim of the Adyar Zamindar to a portion of the land granted to Messrs. Barclay and Morgan for planting casuarina.

2. The piece of land referred to consists of three fields, Nos. 296, 298, and 299, all of which are held on puttas granted by the Adyar Zamindar and form part of a block of land within the existing boundary of the Madras district.

3. Two out of the three Nos., viz., Nos. 298 and 299, appear in the paimash accounts of the Chingleput district as river and are thus as Poramboke not included in the Zamindari. The whole promontory of which they form part is an accretion formed by the river, and consequently the boundary of the Madras district which in Regulation II of 1802, Section 12, is defined to be the southern bank of the Saint Thomé (Adyar) river is properly marked to include this block of land. The remaining No. 296 is of small extent and appears in the paimash as dry. Whether the fact that the Zamindar and those acting for him have so long (fourteen years) acquiesced in the existing boundary that any rights they may have had have been forfeited I leave to the Board to determine. As far as can be discovered, both districts appear to have been represented when the boundary between the districts was laid down by the Survey Department. A plan is enclosed.

Enclosure.—Plan.

Reference on the above, dated 4th September 1882.

The Collector is requested, if possible, to send for the Board's inspection the original map from which the sketch forwarded by him has been apparently copied. It is not stated upon what survey it is based.

(Signed) E. GIBSON,
Acting Secretary.

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated 8th September 1882, No. 350 :—

Adverting to the Board's reference on General Register No. 4385 of 1882, I have the honor to inform you that the sketch (herewith returned) was made from the enclosed map, the details being filled in on the spot from the boundary stones and other local features.

Enclosures Nos. 1 and 2.—Plans.

Reference on the above, dated 13th September 1882.

The Collector is requested to state what is the paimash referred to as showing No. 296 as dry. Is it that of Chingleput or Madras; and if the former, how does it happen to specify particulars of fields in a Zamindari?

(Signed) E. GIBSON,
Acting Secretary.

Read—the following letter from R. J. MELVILLE, Esq., Collector of Madras, to the Secretary to the Board of Revenue, dated 15th September 1882, No. 361 :—

Adverting to the Board's reference, dated the 13th instant, on General Register Nos. 4385 and 5173 of 1882, I have the honor to state that the entry "No. 296 dry 288 N×120 E Cawnies 0-9-0" in my letter of the 31st July, No. 318, is justified by a statement in a letter, No. 495, dated 23rd August 1881, on the subject of the Adyar Zamindar's claims from the General Duty Deputy Collector, Chingleput District, who had seen a copy of the paimash accounts of the Adyar Zamindari furnished by the agent of the guardian to the minor proprietors of the Adyar Zamindari. The paimash referred to is not that of Madras.

Resolution—dated 26th September 1882, No. 2378.

Submitted to Government with reference to G.O., dated 3rd January 1882, No. 4, and G.O., dated 5th June 1882, No. 585.

2. From the information afforded by the Collector it is clear that the Zamindar has no right to Nos. 298 and 299 which comprise the bulk of the land concerned. As regards No. 296, it would seem that the Zamindar's title is probably good, and the question to be decided is whether the boundary, which has apparently been wrongly demarcated, should now be revised so far as this plot is concerned. This is a point upon which the professional officers of the Public Works Department will be able to advise. If it should be considered necessary to include this number within the river limits in the interests of conservancy, the Zamindar would probably be entitled to compensation.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue Department, with two plans to be returned.

Copy to the Collector of Madras, with enclosure No. 5173 returned.

" to the Collector of Chingleput.

Mis. No. 3255.

Transferred to the Public Works Department.

(Signed) E. F. WEBSTER,
Secretary to Government.

Read—also the following G.O., dated 6th January 1883, No. 34-W, Public Works :—

Read—the following letter from the Superintending Engineer, 5th Circle, dated 19th December 1882, No. 3335 :—

With reference to G.O., No. 2693-W, dated 16th October 1882, I have the honor to report that plot No. 296, referred to in paragraph 2 of the Proceedings of the Board of Revenue, No. 2378, dated 26th September 1882, is not required for the purposes of conservancy of the Adyar river.

1 map.
1 rough sketch.

Order—dated 6th January 1883, No. 34-W, Public Works.

Communicated to the Revenue Department with reference to its endorsement, No. 3255, dated 5th October 1882.

(True Extract.)

(Signed) C. C. RAWSON, Captain, R.E.,
Ag. Under Secy. to Govt., P.W.D.

To the Secretary to Government, Revenue Department, with two enclosures.

Order—dated 15th February 1883, Mis. No. 675, Revenue.

Ordered that the papers be retransferred to the Public Works Department with the remark that, although No. 296 may not be required for the purposes of river conservancy, the matter must be dealt with as a whole.

2. Apart from the rest of the block, it is not likely that this small plot will be of any use to Mr. Morgan; but if he wishes to retain it, the terms on which this can be permitted will be one of the conditions of surrender, required by G.O., 5th June 1882, No. 585, to be reported for sanction.

3. There seems to be little doubt that the plot is included within the boundaries of the land resumed and acquired by Government in 1858—64, and probably the Zamindar's claim is barred. If Mr. Morgan retains the plot, he will of course have to make his own terms with the Zamindar; but if it is surrendered and not required by the Public Works department, it may be left to be dealt with separately by this department.

4. In the event of the Advocate-General advising a suit and requiring further information than the Superintending Engineer's inquiries on the spot can afford, the Board will be desired to return a distinct finding as to whether the Zamindar's claim to this plot is admissible or not; but to enable them to do so, all the information obtained by the Superintending Engineer must be communicated through this Department.

(True Extract.)

(Signed) P. P. HUTCHINS,
Ag. Secretary to Government.

To the Public Works Department, with two plans.
„ the Board of Revenue.

Read—also the following G.O., dated 9th August 1883, No. 2208 W., Public Works:—

Read—the following letter from the Superintending Engineer, Fifth Circle, to the Chief Engineer, Public Works Department, dated 14th July 1883, No. 1485:—

With reference to G.O., No. 596 W., dated 23rd February 1883, I have the honor to report that in my letter, No. 1814, of the 14th August 1882, I have stated (in reply to G.O., No. 1589 W., of the 22nd June 1882), the conditions on which Messrs. Morgan and Strange are willing to surrender their lands bordering on the Adyar, viz., on their having the outlay they have incurred refunded, and on its being certified that the land is required for a specific object.

2. Mr. Barclay has stated that Mr. Morgan will not care to retain Plot No. 296, but will surrender it on payment of the amount expended on the trees up to date.

3. I enclose a survey and schedule showing the area and description of the lands required for training the Adyar river, and describing the boundaries and

extent of the land to be resumed by the Government, as called for in your memorandum, No. 725 E, dated 13th September 1882. Plot No. 296 is not included in the area marked on the survey. The Executive Engineer cannot ascertain whether this plot was included in the land acquired by Government in 1858—64.

4. The total extent of land required to be taken up for flood and training banks is 88·99 acres and consists of—

	ACRES.
Government waste	41·45
Ground in the Government Farm	6·82
Zemin land on the south bank belonging to Government, but unauthorisedly encroached upon by the Adyar Zemindar	2·74
Zemin lands on the south bank within the boundary marked out by Executive Engineer Mr. Kennedy, but regarding which it is not known in the Public Works Department whether they were purchased by Government or not	11·23
Land in occupation by Mr. Morgan and now to be recovered ...	22·06
Land in the Chief Justice and Mr. Justice Kernan's compound ...	4·69

Order—dated 9th August 1883, No. 2208 W., Public Works.

Communicated to the Revenue Department for the necessary action, with advertence to the undermentioned communications from that department:—

Memorandum, No. 421, dated 4th September 1882.
Endorsement, „ 3255, „ 5th October „
G.O., „ 675, „ 15th February 1883.

2. It is now certified that the land is required for a specific public purpose, viz., for flood and training banks of the Adyar river.

3. With reference to paragraph 3 of G.O. (Revenue), No. 675, dated 15th February 1883, it will be seen that Mr. Morgan is willing to surrender Plot No. 296, and that it is not required by the Public Works Department.

4. Mr. Morgan's previous proposal, to retain occupation of the land until such time as Government may require to make use of it, cannot be entertained.

(True Extract.)

(Signed) C. BOWEN, Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Revenue Department, with enclosures, as per list.
„ Superintending Engineer, Fifth Circle.

Enclosure—List.

16 Enclosures with endorsement No. 632-E, Public Works, dated 24th August 1882.

Endorsement, Revenue Department, No. 3255, dated 5th October 1882.

5 Enclosures (including 3 plans) of Superintending Engineer's letter, No. 1485 (in original to be returned), dated 14th July 1883.

Order—dated 3rd September 1883, No. 1073, Revenue.

Land Revenue, No. 158.

The Board of Revenue will instruct the Collector of Madras to settle and report the amount of compensation fairly claimable for the outlay which Messrs. Morgan and Strange have incurred

in planting. As Mr. Morgan seems to be willing to surrender Plot No. 296, the Government consider that it had better be also re-acquired.

2. The Superintending Engineer in his letter, communicated in the last of the papers read above, brings to notice that other spots on the margins of the Adyar, some belonging to and at the disposal of Government, some forming parts of private property and some in a doubtful category as to actual ownership, are required for flood and training banks. These form no necessary part of the question before Government in connection with the recovery of the plots of land erroneously and unauthorisedly granted on cowle by the Revenue authorities; but the Collector will, in communication with the Public Works authorities, make the necessary enquiries in view to the acquisition of the several spots specified. Of course the necessary provision for compensation in a duly sanctioned estimate is an essential preliminary to the actual acquisition of the land.

(True Extract.)

for Ag. Secretary to Government.

To the Board of Revenue, with sixteen enclosures, to be returned.
„ Public Works Department with one Schedule for appln & a survey sketch.

Exd. J. Henricus.

60 Copies.

20-8/ will follow