P. W. D.

Pros of the Madras Govt

Read the following

22nd July 1887, No. 1602, Judicial.

## GOVERNMENT OF MADRAS.

## JUDICIAL DEPARTMENT.

Read—again the following paper :—

G.O., dated 14th July 1887, Mis. No. 1520, Judicial.

Abstract.—Deferring consideration of the question of rent payable by Messrs. Parry and Company from 17th December 1886 for the old Cuddalore jail buildings till the arrangements for purchase are completed, and meanwhile requesting the Government Solicitor to expedite preparation of the conveyance.

Read—also the following papers :—

From H. SEWELL, Esq., Collector of South Arcot, to the Chief Secretary to Government, dated Cuddalore, 6th July 1887, No. 68.

I have the honor to submit the following case for the orders of Government.

2. By G.O., Mis. No. 400, of the 25th February last, I was directed to furnish the Government Solicitor with the necessary particulars as to boundaries and extent of the old jail buildings at Cuddalore, sold by Government to Messrs. Parry and Company, for insertion in the conveyance to be executed in their favor.

3. The Temporary Deputy Collector in charge of the Cuddalore taluk was requested to report the necessary particulars, and on receipt of his reply, the Government Solicitor was informed of the boundaries of the building and its extent. In giving the above information, the stable attached to the jail buildings was also included.

4. I enclose a copy of the block plan of the jail buildings. The stable in question stands at the south-eastern corner thereof as marked in pencil. It was constructed at Government cost in 1878 on the request of the then Superintendent of the jail, Dr. Robertson. From the correspondence that took place at the time, I find that the then President of the Municipality, Mr. Sharp, granted permission to Dr. Robertson to construct the stable to be used by him and any other Superintendent of the jail for the time being, but with the stipulation that it should not be given or sold to any other person, and that the site should be handed over to Government or the municipality, if required, on two months' notice being given. A copy of his letter, No. 201, of the 5th March 1878, is submitted.

5. The municipality now claim the return of the site to them, alleging that it formerly formed part of the road.

6. I have inspected the spot, but do not think that the statement of the municipality that the ground formed part of the road is correct. The enclosure stands well back from the main road.

7. All waste lands in municipalities, unless specially made over to the municipality, are, I believe, the property of Government, and I do not understand how Mr. Sharp came to make the stipulation referred to in paragraph 4 above.

8. As the stable in question was constructed at Government cost as a part of the jail buildings, and as these latter have been sold by Government to Messrs. Parry and Company, I think the stable should also be made over to them and included in the conveyance to be executed in their favor.

9. I think Mr. Sharp's letter, No. 201, of the 5th March 1878, is *ultra vires* and should be cancelled, and the claim of the municipality based thereon should be dismissed.

ENCLOSURE.

From F. R. H. SHARP, Esq., President of the Municipal Commission, Cuddalore, to the Zillah Surgeon and Superintendent of Jail, Cuddalore, dated 5th March 1878, No. 201.

I have the honor to reply to your letter, No. 51, of the 28th ultimo, that you are very welcome to erect a stable on the ground indicated by you on the following conditions:—

*1st.*—That the stable and site be kept in your possession under your own control or that of the Superintendent of the jail for the time being, and that it should not be given or sold to any other person.

*2nd.*—That the site be surrendered to Government or the Municipal Commission in fair order on two months' notice being given you or your successors at any time by the Collector or President, Municipal Commission.

*3rd.*—That the stable be so erected and be kept so fairly clean as not to be a nuisance to the houses to the west of the site, nor to keep the sea breeze from them.

I shall be obliged if you will kindly have the exact site proposed for the stable marked out with pegs, and I will have it seen to. The building should not project eastward of the jail wall. I may add that I have recently declined to give over the land in question to the S.P.G. Mission, and I could not approve of its being surrendered permanently to any one. But recognizing the claims of your official convenience necessitated by the distance of the jail from your residence, I am very glad to place the site you wish at your disposal on the terms indicated above.

From W. MORGAN, Esq., Acting Government Solicitor, Madras, to the Chief Secretary to Government, dated Madras, 6th July 1887, No. 348.

Referring to your letter, No. 180, Miscellaneous, dated the 31st January 1887, and subsequent correspondence, I have the honor to forward herewith cheque for Rs 10,000 for the purchase money of the Cuddalore jail, which I have accepted from Messrs. Parry and Co., subject to the stipulation that the purchase is to be completed whether the stables claimed by the municipality are included in the sale or not.

From Messrs. PARRY and CO., Madras, to the Chief Secretary to Government, dated Madras, 20th July 1887.

With reference to our purchase of Cuddalore jail, we have the honor to bring to your notice a dispute which has arisen in respect of some stables adjoining but outside the walls of the jail proper.

2. These stables are, it appears, not included in the Department of Public Works original plan of the jail, and the Executive Engineer therefore proposes not to include them in the conveyance of the property to us. We, on the other hand, submit that the stables should be transferred to us with the rest of the property, since they were built for, and always utilized by, the Superintendent in charge, and were handed over for us to use along with the rest of the property which we were renting prior to purchasing it.

3. When we closed with Government for the purchase of the property at their price, we, of course, understood that we were buying all that was then being given us for rent, and as already mentioned that included the stables. We would further point out that the stables in question can scarcely be of value to any one but the owners of the jail, so that, if not given to us, they will probably fall into disrepair and be altogether wasted, while we should have to replace them by building on some other site at considerable inconvenience and expense.

4. The matter is a small one, and, as we have already informed the Government Solicitor, we would not for a moment wish to cancel the sale on account of it, but under the circumstances and seeing that compliance with our views will practically hurt no one, we trust you will see your way to issue instructions accordingly.

ORDER—dated 22nd July 1887, No. 1602, Judicial.

It is clear that the stable was a mere temporary building, wholly outside the jail premises, and never forming part of the jail. The purchase must be completed exclusive of the stable, the boundary being the jail wall. No rent will be demanded from Messrs. Parry and Co. from the date on which they agreed to purchase, as directed in separate orders.

2. The cheque for Rs. 10,000 will be forwarded to the Accountant-General for realization and adjustment.

(True Extract.)

H. E STOKES,
*Ag. Chief Secretary.*

To the Collector of South Arcot.
,, the Government Solicitor.
,, Messrs. Parry and Co.
,, the Accountant-General, with cheque.
Copy to the Public Works Department.
,, the Inspector-General of Jails.

Exd. A. Raitt.

P. W. D.

# Govt. of (1887) Madras.

## JUDICIAL.

No. 2167 W a/15th August /87

Communicated
to the Supdg. Engr. V Circle
in continuation of G.O.
No: 2032 W dated
29th July 1887 -

Sd/ J. O. H.,

Issued

Recd.

Encl.

**G.O., 22nd July 1887, No. 1602.**

No. 2167 W a/15th August /87

**JULY.**

S. E. V Circle
Examr. P.W. accts.

**Jails.**

Passing orders in connection with the purchase of the old jail buildings at Cuddalore by Messrs. Parry and Co.

With order

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### GOVERNMENT OF MADRAS.

### JUDICIAL DEPARTMENT.

READ—again the following paper :—

G.O., dated 14th July 1887, Mis. No. 1520, Judicial.

ABSTRACT.—Deferring consideration of the question of rent payable by Messrs. Parry and Company from 17th December 1886 for the old Cuddalore jail buildings till the arrangements for purchase are completed, and meanwhile requesting the Government Solicitor to expedite preparation of the conveyance.

READ—also the following papers :—

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3. The Temporary Deputy Collector in charge of the Cuddalore taluk was requested to report the necessary particulars, and on receipt of his reply, the Government Solicitor was informed of the boundaries of the building and its extent. In giving the above information, the stable attached to the jail buildings was also included.

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*2nd.*—That the site be surrendered to Government or the Municipal Commission in fair order on two months' notice being given you or your successors at any time by the Collector or President, Municipal Commission.

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From W. MORGAN, Esq., Acting Government Solicitor, Madras, to the Chief Secretary to Government, dated Madras, 6th July 1887, No. 348.

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From Messrs. PARRY and CO., Madras, to the Chief Secretary to Government, dated Madras, 20th July 1887.

With reference to our purchase of Cuddalore jail, we have the honor to bring to your notice a dispute which has arisen in respect of some stables adjoining but outside the walls of the jail proper.

2. These stables are, it appears, not included in the Department of Public Works original plan of the jail, and the Executive Engineer therefore proposes not to include them in the conveyance of the property to us. We, on the other hand, submit that the stables should be transferred to us with the rest of the property, since they were built for, and always utilized by, the Superintendent in charge, and were handed over for us to use along with the rest of the property which we were renting prior to purchasing it.

3. When we closed with Government for the purchase of the property at their price, we, of course, understood that we were buying all that was then being given us for rent, and as already mentioned that included the stables. We would further point out that the stables in question can scarcely be of value to any one but the owners of the jail, so that, if not given to us, they will probably fall into disrepair and be altogether wasted, while we should have to replace them by building on some other site at considerable inconvenience and expense.

4. The matter is a small one, and, as we have already informed the Government Solicitor, we would not for a moment wish to cancel the sale on account of it, but under the circumstances and seeing that compliance with our views will practically hurt no one, we trust you will see your way to issue instructions accordingly.

ORDER—dated 22nd July 1887, No. 1602, Judicial.

It is clear that the stable was a mere temporary building, wholly outside the jail premises, and never forming part of the jail. The purchase must be completed exclusive of the stable, the boundary being the jail wall. No rent will be demanded from Messrs. Parry and Co. from the date on which they agreed to purchase, as directed in separate orders.

2. The cheque for Rs. 10,000 will be forwarded to the Accountant-General for realization and adjustment.

(True Extract.)

H. E STOKES,
*Ag. Chief Secretary.*

To the Collector of South Arcot.
„ the Government Solicitor.
„ Messrs. Parry and Co.
„ the Accountant-General, with cheque.
Copy to the Public Works Department.
„ the Inspector-General of Jails.

Exd. A. Raitt.

No. 2167 W d/15th August/87

Communicated to the S. E. V circle in continuation of G.O. No. 2032 W dated 29th July 1887

(Sd) J. O. H.
W

S. E. V circle
Exr. P.W. Accts.

---

# Govt. of {1887} Madras.

## JUDICIAL.

Issued

Recd. Encl.

**G.O., 22nd July 1887, No. 1602.**

No. 2167 W d/15th August/87

JULY.

**Jails.**

Passing orders in connection with the purchase of the old jail buildings at Cuddalore by Messrs. Parry and Co.

With order

---

No. 3800 C of 29th Oct. 1886

Urgent

Pred

V. J

Memo.

The S. E. V Circle is requested to submit an immediate reply to this office No. 2825 C of 18. 8. 86, relative to the price of the old jail buildings at Cuddalore.

Jol
29/10/86.

S. E. V Circle
Despd 29. 10. 86

№ 2825c of 18-8-86

№ 3800c of 29-10-8

Judicial Department.

## PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from Messrs. Parry and Co., Madras, dated 5th April 1886.

We have been in communication with the Inspector General of Jails about the purchase of the old Cuddalore Jail which we understand is for sale, and he has suggested our addressing Government direct on the subject.

We now write to say that we are prepared to pay Rs. 6,000 for the place as it stands, and shall be glad to hear from you on the subject.

---

Letter from the Inspector General of Jails, dated 10th May 1886 No. 131.

In reply to your Endorsement No. 716 C, dated 3rd instant referring a letter from Messrs. Parry and Co. for my remarks

remarks, I have the honor to state the old Jail buildings at Cuddalore, are valued by the Public Works Department at about Rupees 20,000 and therefore Messrs. Parry and Co.'s offer of Rupees 6,000 for them is much below their value and I consider if they paid Rupees 10,000 for the buildings they would still obtain them considerably below their actual value. Messrs. Parry and Co. have been renting the buildings since the middle of March at Rupees 75 per mensem, and using a portion of them to store ground nuts in.

× × × ×

Order thereon 21st May 1886 No. 1356 Mis.

Messrs. Parry and Co. will be informed that the Government are advised that the offer made by them for the old jail buildings at Cuddalore is much below their estimated value.

The

2. The Inspector General of Jails will report the circumstances under which he rented the buildings in question to Messrs. Parry and Co. and the terms of their occupation.

/ True Extract /

/ Sgd / E. F. Webster
Chief Secretary.

2/6850 E.
23 AUG 86
P.W.D.

Enclo 2

P.W. ~~6369~~/8467/86

Judicial Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from Messrs. Parry and Co., Madras, dated 29th July 1886.

With reference to our letter of the 5th April and the Government order thereon dated 21st May last, we have the honor to request that you will be good enough to let us know what price Government are prepared to accept for the old Cuddalore Jail.

Order thereon 9th August 1886 No. 2095 Mis.

Communicated to the Public Works Department with request that the buildings may be valued and that this Department may be informed what would be a fair price to ask for them. Copy of the G.O. 21st May 1886 No. 1356 will be communicated

to

to the Public Works Department.

(True Extract)

Chief Secretary

To
The Public Works Department

OR

Wk Govt 1356 Mis

---

C.W.E.

Please let
Kind what
this means

J.A.
29/10/86

---

28/10/86.

Dear Hunter

C.O. 9 Augt 1886 No 2095. Further order is going asking for early reply. Will you kindly stir up somebody & get an answer, else a favourable opportunity of getting rid of the old buildings will be lost.

Yrs

W. [illegible]

1/4339
13-10-86

R. No. 2885
19-8-86

No. 2825 C d/ 18th August 1886.

Referred to the Suptg. Engineer V Circle, for early report, and submission of a valuation statement of the building.

(By Order)

C. Smith
for Chief Engineer P.W.D.

To
The Suptg. Engr. V Circle

---

Gen 1
P.W.C. No. 6369
8457/86

EXECUTIVE EN...
1685 88/86
23 AUG 86
P.W.D.
... DIST

Encl. 1

Recd: 16.8.86.

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1

No. 3825

SUPERINTENDING ENGINEER'S OFFICE,
V CIRCLE, MADRAS,
Chepák, 29th October 1886.

From
THE SUPERINTENDING ENGINEER,
V CIRCLE,

To
THE Chief Engineer
P. W. Department.

SIR,

Enclosures.

In returning your Endorsement No. 2825 C dated 18th August 1886, I have the honor to report as follows:

2. The old jail Buildings at Cuddalore could not now be built under Rupees 52,000; so the value at which they stand in the Books Rupees 20,000 is extremely moderate. Between the years 1867 and 1869 some Rupees 18,768 (Vide G.O. No. 196

7

13-10-86

of 23rd January 1875) were expended on Various Repairs and additions."

Of the total plinth area 25000 Sq: ft., 8900 Sq: ft. is the area of the large two Storied terraced Building. The lower Story of this two Storied terraced building, and the out buildings are admirably adapted for the Storage of produce (ground nuts) and the offer of Rupees 6000 made by Messrs. Parry & Co. is considered very low. At the Same time the buildings are not likely to be used for other purposes. their Situation, though very convenient for Messrs. Parry & Co.'s purpose, close to a branch of the South Indian Railway and to the Backwater, is not desirable from other points of view -

On

On the whole I think the Buildings are well worth Rs. 10,000. Messrs. Parry & Co. now pay a monthly rent of Rs. 75 which at the usual P.W. rate of 7½ per cent represents a Value of Rupees 12000.

This report has been delayed pending a reply from Collector South Arcot to my enquiry as to the likelihood of these buildings being required for any public purpose, which will be forwarded when received. I have the honor to be

Sir

Your Most Obedt. Servt.

W. H. Burton Coll. R.E.

Superintg. Engr.

5th Circle

P.W.C. No. 8457

No. 2858 W d/1st Nov./86

B

Communicated to the Judicial Dept with advertence to G.O. in that dept No. 2095 Mis dated 9th August 1886.

2. It is considered in this dept that Rs 10,000 would be a fair price to ask for the buildings

1/11/86

Judl. Deptt. ✓
S.E. D Circle ✓

2/11/86

To

The Chief Engineer
P.W.D.

SECRETARY TO GOVT. P.W. DEPARTMENT
29 OCT 86

Dated 29th }
Recd. 1.11.86 } October 1886

No. 3825

Enclosures 2

No. 2858 W d/1st Novr. 1886

Old Jail Buildings at Cuddalore—

Reports regarding the—

---

Judicial Department.

## PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from Messrs Parry and Co., Madras, dated 21st October 1886

We have the honor to beg reference to our letter of 29th July requesting to be informed of the sale price that Government put upon the old Cuddalore Jail.

With a view to preparing for the ensuing produce season, unless we can come to terms with Government regarding the Jail without delay, we must make other arrangements and we therefore request the favour of a very early reply to our above quoted letter.

---

Order, 29th October 1886, No. 2929 Mis.

Communicated in Continuation of G.O. 9th

9th August 1886, No 2095, to the Public Works Department, with the request that the information therein required may be furnished at an early date.

(True Extract)

Alexander.
Ag. Asstt. Secretary

Vide Cir. 8457
Cancl 1-11-85

To

The Public Works Department
Messrs. Parry & Co.

---

1887.

P. W. DEPARTMENT.

Current No. 4822.

From The Supdg. Engineer V Circle.

Enclos.—1.

No. 1383.
Dated 24th June 1887.
Received 27 — " — "

SUBJECT.

Old Jail premises at Cuddalore

Forwarding for orders copy of correspondence regarding the sale of the —— to Messrs Parry & Co.

DISPOSAL.

No. 269 D. Dated 28th June 1887.

Transferred to the Judicial Dept. for disposal in continuation of G.O. in that Dept. No. 180 Mis: of 31st Jany. 87. Messrs Parry & Co. were informed by G.O. No. 3326 Mis of 17th Decr. 86 that the Government were willing to sell the buildings for Rs 10,000, & they replied the same

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1886.

P. W. DEPARTMENT.

Current No. 6369

From The Judicial Departmen

Enclos.—1

No. 2095 Mis
Dated 9th August 1886
Received 16th — " —

SUBJECT.

Communicating letter from Parry and Co: Madras, reques to know what price Govt. w accept for the old bu Jail.

DISPOSAL.

No. 2825 C Dated 18th August 18

Referred to the Supdg. En V Circle, for early report, submission of a valuatio statement of the building

(By Order)

(Sd) C. A. Smith
for Chief Engr. P. W. D.

To S. E. V Circle. Do 1818

same day that they would pay the sum. It seems open to question whether rent should be charged after that date, as Messrs Parry & Co. state that they were ready to pay the purchase money at once.

(Sd.)

J.O. Hasted Col R.E.
Secretary to Government

5. The Judicial Dept. with one encl. desp. 28/6/87

No 518 C of 11-2-87.
B. 267 W .. 3-2-87.
.. 3251 W of 5-12-86.
.. 3997 C of 13-11-86
B W 2896 W of 3-11-86.
.. 2858 W of 1-11-86
.. 3800 C of 29-10-86
.. 2825 .. 18-8-86.

---

1887

P. W. DEPARTMENT.

Current No. 1029

From The Examiner P.W. Accts

Enclos.—

No. 734
Dated 8th February 1887
Received 9th —"—

SUBJECT.

Stating that the value of the Jail Buildings at Old Town Cuddalore is shewn on the Executive Engineer's Return of Buildings as Rs 20,000.

DISPOSAL.

No. 518C Dated 11th Feby 1887

To C

This fact was known to the Govt. when the Order in the Judicial Dept was passed.

(Sd) J.O.H.
9.2.87
W.

Desp.d 11-2-87

No. 2674 of 3-2-87
& the file.

18 Feb 18

2858 W 1.11.86.
~~2858 W~~
3800 C. 29.10.86.
2025 C. 18.8.06

[6]

P.W.C. No. 8487 ✓

# Govt. of (188 ) Madras.

No. 2896 W. d/3rd Novr. 1886

To

The P.W. Dept

Recorded, with reference to G.O. No. 2858 W. d/1st Novr. 1886.

Recorded with reference to G.O. 2858 W d/1st Novr. 1886.

SECRETARY TO GOVERNMENT P.W. DEPARTMENT MADRAS
1 NOV 86

Rd 1.11.86

2/11/86

2/11/86.

Proceedings, dated 29 Octr 1886
No. 2929 W.

Subject.

No. 2896 W. d/3rd Novr. 1886

Cong letter from Messrs Parry & Co requesting an early reply to their letter of the 29th July last, regarding the sale price that Government put upon the old jail Cuddalore

Judl. Dept. ✓

Judl Dept

3/11/86

4/11 8 P.M.

With order

---

Judl. DEPARTMENT.

No. 1872 C

SECRETARY TO GOVERNMENT P.W. DEPARTMENT MADRAS
12 NOV 86

# Official Memorandum.

Dated the 11th November 1886.

With reference to G.O. No. 2858 W, dated 1st November 1886, the Public Works Department is requested to be good enough to furnish this department with a copy of any reply which may have been received by the Superintending Engineer, 5th Circle, from the Collector of South Arcot to the enquiry as to the likelihood of the old Jail buildings at Cuddalore being required for any public purpose

H. E. Stokes

Ag Chief Secretary

To

The Public Works Dept

[illegible]

P.W.C. No 8802

No 3997 C of 13.11.86

Copy forwarded to the Supdg. Engr. V Circle for early compliance.

Copy forwarded to the Supdg. Engr. V Circle for early compliance.

Ry 12.11.86

12/11/86. 12.11.86

No 3997 C of 13.11.86

No 2896 W of 3-11-86
- 2858 W - 1-11-86
- 3800 C - 29-10-86

S.E. V Circle.
Despd 13-11-86.

S.E. V Circle

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SUPERINTENDING ENGINEER'S OFFICE,
V CIRCLE, MADRAS,
No. 4441. Camp Tirupati ~~Chepauk~~, 3rd December 1886.

From
THE SUPERINTENDING ENGINEER,
V CIRCLE,

To
THE Chief Engineer
P.W. Department.

Enclosures.

SIR,

With reference to your Memorandum No 3997 C dated 13th Ultimo, I have the honor to report that the Collector of South Arcot states that the old jail building at Cuddalore is not likely to be required for any public purpose.

I have the honor to be
Sir
Your most obedt. Servt.

W H Preston.
Colonel R.E.
Superintg. Engineer
V Circle

C. 8802. 3997. C ~ C. 9534

B No. 3251 W d/ 8th Decr 86

Comd. to the Judicial Dept in reply to memo: No: 1872. C d/. 11th Novr. 1886.

7.12.86

7/12/86

3997 C 13. 11. 86.
2896 W 3. 11. 86.
2858 W 1. 11. 86
3800 C 29. 10. 86.
2825 C 18. 8. 86

Judicial Dept. S

Despd. 8-12-86

Pstd on 10/12

P.W.C. No. 9534 S

From

THE SUPERINTENDING ENGINEER,

V CIRCLE,

To

THE Chief Engineer P.W. Department.

SECRETARY TO GOVT P.W. DEPARTMENT
6 DEC 86

Dated 3rd } December 1886.
Recd.

ENCLOSURES.

No. 3251 W d/ 8th Decr. /86

No. 4441.

Old jail Building at Cuddalore.

Reports that the – is not likely to be required for any public purpose in South Arcot – Dt

---

Judicial Department.

CHIEF SECRETARIAT. MADRAS.

# PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following papers, —

Proceedings of the Public Works Department dated 1st and 3rd November, and 8th December 1886, Nos 2858 W, 2896 W and 3251 W.

Telegrams from the Collector of South Arcot dated 2nd, 8th, 10th and 13th December 1886.

D. Os from J. Fortune Esqr dated 3rd and 10th December 1886.

D. O. from the Collector of South Arcot dated 13th December 1886.

Order, 17 December /86 No 3326 Jus.

Messrs Parry and Co., Madras, are informed, with reference to their letter of the 29th July last, that

the

the Government are willing to sell the old jail buildings at Cuddalore for the Sum of Rupees (10,000-"-") ten thousand.

|True Extract|

H A Stuart.
Under Secretary.

To
Messrs Parry and Co, Madras.
Copy to the Public Works Department.

3251 W 8.12.86.
3797 C 13.11.86.
2896 W 3.11.86.
2850 W 1.11.86.
3800 C 29.10.86.
2825 C 30.8.86.

B. No 3367 W.A/21 Decr/86

B

P.W.C. No 9946

# Govt. of {188 } Madras.

To

The P.W. Dept

Communicated to the S.E.V circle.

Jol
18/12/86

Secretary to Government P.W. Department Madras
18 DEC 86

Rd 18-12

Proceedings, dated 17/12/1886
No. 3326 W.

*Subject.*

B. No 3367 W.A/21-12-86.

Informing Messrs Parry & Co that the Govt are willing to sell the old jail buildings at Cuddalore for the sum of Rs (10,000-) ten thousand.

S.E.V circle

Despd 21-12-86

Ex 23/12 Ent 15/1 Id 14/1

With order

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Judicial Department.

CHIEF SECRETARIAT, MADRAS.

## PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper :—

Letter from Messrs Parry and Co: dated 17th December 1886 offering to pay the price fixed, Viz, Rupees (10,000) ten thousand for the Cuddalore Jail buildings but asking to be relieved of the payment of rent from the 1st August 1886.

Order, 31st January 1887, No. 180 Jud.

Messrs Parry and Co: will be informed that the Government cannot consent to the remission of rent asked for by them. The Government Solicitor will be instructed to prepare the necessary deed of Conveyance in communication with Messrs Parry and Co's Solicitor. The deed will be executed by the Chief Secretary to Government on behalf of the Secretary of State for India.

(True Extract)

Ag: Chief Secretary.

To

Messrs Parry and Co
The Public Works Deptt ✓
" Accountant - General.
" Inspector - General of Jails.
" Collector. South Arcot.

x 2/18

3367 W 21.12.86. 2825 C 18.8.86.
3291 W 8.12.86.
3997 C 13.11.86.
2896 W 3.11.86.
2858 W 1.11.86.
3800 C 29.10.86.

No. 267 W d/ 3rd Feby/87

B

P.W.C. No. 7475 ✓

Govt. of {188 } Madras

To

The P.W. Dept

Communicated
to the S.E. V Circle
in continuation of
G.O. No. 3367 W d/ 21st
Decr. 1886.

2.2.87

Rg 1.2.87

Proceedings, dated 31/1/1887
No. 180 W.

Subject.

B. G.O. No. 267 W d/ 3-2-87

Sale of the Jail
Buildings at
Cuddalore to Messrs
Parry & Co. of Madras

S.E. V Circle ✓

Ex. P.W. Accts ~~with~~
copy of No. 3367 W of 1886

Dl 3/2/87

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CHIEF SECRETARIAT, MADRAS.

Judicial Department.

# PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper

Endorsement in the Public Works Department d/ 28th June 1887 No. 269 D on letter from the Superintending Engineer, V. Circle, d/ 24th June 1887 No. 1383.

Order, d/ 14th July 1887 No. 1520.

The question regarding the payment of rent by Messrs. Parry and Co from the 17th December 1886 will stand over till the arrangements regarding purchase are terminated. If the purchase is completed, no rent will be payable by Messrs Parry and Co from the 17th December 1886. Meantime the Government Solicitor will be requested to expedite the preparation of the conveyance.

(True Extract)

H. Stokes
Ag. Chief Secretary

To

The Public Works Dept. ✓
" Govt. Solicitor
" Messrs Parry & Co.

2d. S.D.

[ 6 ] P.W.C. No. 5625

# Govt. of {188 } Madras.

No. 2032 W.A./29th July/87

(2)

To The P.W. Dept

Communicated to the S.E. V Circle with reference to his letter No. 1380 dated 21 June 1887.

21.7.87

Proceedings, dated 14 July 1887.
No. 1520

24/7/87

Subject.

G.O. 267 W.A./3-2-87
No. 578 C. d/11-2-87
" 269 d/28-6-87

No. 2032 W.A./29th July/87

Regarding payment of rent for old jail buildings at Cuddalore

S.E. V Circle
Exe P.W.D.

29/7

1-7-87.

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22nd July 1887, No. 1602, Judicial.

## GOVERNMENT OF MADRAS.

## JUDICIAL DEPARTMENT.

Read—again the following paper :—

G.O., dated 14th July 1887, Mis. No. 1520, Judicial.

Abstract.—Deferring consideration of the question of rent payable by Messrs. Parry and Company from 17th December 1886 for the old Cuddalore jail buildings till the arrangements for purchase are completed, and meanwhile requesting the Government Solicitor to expedite preparation of the conveyance.

Read—also the following papers :—

From H. SEWELL, Esq., Collector of South Arcot, to the Chief Secretary to Government, dated Cuddalore, 6th July 1887, No. 68.

I have the honor to submit the following case for the orders of Government.

2. By G.O., Mis. No. 400, of the 25th February last, I was directed to furnish the Government Solicitor with the necessary particulars as to boundaries and extent of the old jail buildings at Cuddalore, sold by Government to Messrs. Parry and Company, for insertion in the conveyance to be executed in their favor.

3. The Temporary Deputy Collector in charge of the Cuddalore taluk was requested to report the necessary particulars, and on receipt of his reply, the Government Solicitor was informed of the boundaries of the building and its extent. In giving the above information, the stable attached to the jail buildings was also included.

4. I enclose a copy of the block plan of the jail buildings. The stable in question stands at the south-eastern corner thereof as marked in pencil. It was constructed at Government cost in 1878 on the request of the then Superintendent of the jail, Dr. Robertson. From the correspondence that took place at the time, I find that the then President of the Municipality, Mr. Sharp, granted permission to Dr. Robertson to construct the stable to be used by him and any other Superintendent of the jail for the time being, but with the stipulation that it should not be given or sold to any other person, and that the site should be handed over to Government or the municipality, if required, on two months' notice being given. A copy of his letter, No. 201, of the 5th March 1878, is submitted.

5. The municipality now claim the return of the site to them, alleging that it formerly formed part of the road.

6. I have inspected the spot, but do not think that the statement of the municipality that the ground formed part of the road is correct. The enclosure stands well back from the main road.

7. All waste lands in municipalities, unless specially made over to the municipality, are, I believe, the property of Government, and I do not understand how Mr. Sharp came to make the stipulation referred to in paragraph 4 above.

8. As the stable in question was constructed at Government cost as a part of the jail buildings, and as these latter have been sold by Government to Messrs. Parry and Company, I think the stable should also be made over to them and included in the conveyance to be executed in their favor.

9. I think Mr. Sharp's letter, No. 201, of the 5th March 1878, is *ultra vires* and should be cancelled, and the claim of the municipality based thereon should be dismissed.

### Enclosure.

From F. R. H. SHARP, Esq., President of the Municipal Commission, Cuddalore, to the Zillah Surgeon and Superintendent of Jail, Cuddalore, dated 5th March 1878, No. 201.

I have the honor to reply to your letter, No. 51, of the 28th ultimo, that you are very welcome to erect a stable on the ground indicated by you on the following conditions:—

*1st.*—That the stable and site be kept in your possession under your own control or that of the Superintendent of the jail for the time being, and that it should not be given or sold to any other person.

*2nd.*—That the site be surrendered to Government or the Municipal Commission in fair order on two months' notice being given you or your successors at any time by the Collector or President, Municipal Commission.

*3rd.*—That the stable be so erected and be kept so fairly clean as not to be a nuisance to the houses to the west of the site, nor to keep the sea breeze from them.

I shall be obliged if you will kindly have the exact site proposed for the stable marked out with pegs, and I will have it seen to. The building should not project eastward of the jail wall. I may add that I have recently declined to give over the land in question to the S.P.G. Mission, and I could not approve of its being surrendered permanently to any one. But recognizing the claims of your official convenience necessitated by the distance of the jail from your residence, I am very glad to place the site you wish at your disposal on the terms indicated above.

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From W. MORGAN, Esq., Acting Government Solicitor, Madras, to the Chief Secretary to Government, dated Madras, 6th July 1887, No. 348.

Referring to your letter, No. 180, Miscellaneous, dated the 31st January 1887, and subsequent correspondence, I have the honor to forward herewith cheque for Rs. 10,000 for the purchase money of the Cuddalore jail, which I have accepted from Messrs. Parry and Co., subject to the stipulation that the purchase is to be completed whether the stables claimed by the municipality are included in the sale or not.

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From Messrs. PARRY and CO., Madras, to the Chief Secretary to Government, dated Madras, 20th July 1887.

With reference to our purchase of Cuddalore jail, we have the honor to bring to your notice a dispute which has arisen in respect of some stables adjoining but outside the walls of the jail proper.

2. These stables are, it appears, not included in the Department of Public Works original plan of the jail, and the Executive Engineer therefore proposes not to include them in the conveyance of the property to us. We, on the other hand, submit that the stables should be transferred to us with the rest of the property, since they were built for, and always utilized by, the Superintendent in charge, and were handed over for us to use along with the rest of the property which we were renting prior to purchasing it.

3. When we closed with Government for the purchase of the property at their price, we, of course, understood that we were buying all that was then being given us for rent, and as already mentioned that included the stables. We would further point out that the stables in question can scarcely be of value to any one but the owners of the jail, so that, if not given to us, they will probably fall into disrepair and be altogether wasted, while we should have to replace them by building on some other site at considerable inconvenience and expense.

4. The matter is a small one, and, as we have already informed the Government Solicitor, we would not for a moment wish to cancel the sale on account of it, but under the circumstances and seeing that compliance with our views will practically hurt no one, we trust you will see your way to issue instructions accordingly.

Order—dated 22nd July 1887, No. 1602, Judicial.

It is clear that the stable was a mere temporary building, wholly outside the jail premises, and never forming part of the jail. The purchase must be completed exclusive of the stable, the boundary being the jail wall. No rent will be demanded from Messrs. Parry and Co. from the date on which they agreed to purchase, as directed in separate orders.

2. The cheque for Rs. 10,000 will be forwarded to the Accountant-General for realization and adjustment.

(True Extract.)

*Ag. Chief Secretary.*

To the Collector of South Arcot.
„ the Government Solicitor.
„ Messrs. Parry and Co.
„ the Accountant-General, with cheque.
Copy to the Public Works Department.
„ the Inspector-General of Jails.

Exd. A. Raitt.

B. No 2032W. 29.7.87
" 267W. 3.2.87
" 3367W. 21.12.86.
" 3257W 8.12.86
No 3997C. 13-11.86
B. No 2896W. 3.11.86
" 2858W. 1.11.86
No 3800C. 29.10.86
" 2825C. 18.8.86
No. 2167 W of 15th August/87

Communicated to the Suptg. Engineer V circle in Continuation of G.O. No 2032W dated 29th July 1887.

8.8.87

10/8/87

Suptg. Engr V circle √
Exr. P.W. Accts √
refers to off
Desd 15/8/87

23/8

16/8

Thurwal 8.8.87 R. 12.8.87

OWC No 6117 √

# Govt. of (1887) Madras.

## JUDICIAL.

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13.SC
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Issued

Recd. 6.8.87 Encl.

**G.O., 22nd July 1887, No. 1602.**

No. 2167 W of 15th August/87

**JULY.**

**Jails.**

Passing orders in connection with the purchase of the old jail buildings at Cuddalore by Messrs. Parry and Co.