5699

Govt. of (18~~9~~5) Madras.

PUBLIC WORKS.

3

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Dated

Recd. Encl.

G.O., 24/7/1895. No. 1823.W.

Foreshore at Tuticorin.

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Civil works

PUBLIC WORKS DEPARTMENT.

No. 1823 W of 24th July 1895

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from the Agent, Ralli Bros & Co. (Tuticorin) ... d/ 11 March 1895
Endt thereon by the Ag Sub Collr Tinnevelly (" No 1619 d/14 " ")
— do — by the Ex. Engr Tinnevelly (" " 770 d/16 " ")
— do — by the S.E. VI Circle ... (" " 1046 I.N. d/22 " ")
Letter from the — do — ... (" " 230 I.N. d/20 June ")
Endorsement by the S.E. VI Circle on letter from the Sub Collector of Tinnevelly No. 1619 d/19 June 1895 } (" " 238 I.N. d/22 " ")
Endorsement to the Marine Dept. (" " 477 D d/1st July ")
Endorsement from the — do — (" " 1686 d/20 " ")

11

The endorsement in the Marine Dept. No. 1686 dated 20 July 1895 is communicated to the Supdg Engineer VI Circle for information and guidance

DESPATCHED
1 AUG. 95

S.E. VI Circle with one plan
Marine Dept.

CWS
22/7/95

(40—4,000—14-3-95.)

R.S.

~~CURRENT No.~~ 498

~~Marine~~
Financial Deptt.

From

The P. W. Deptt

No. 477 D

Dd. 1st } July 1895
Recd 2nd
Regd. 3rd

Encs. 4

Subject.

Regarding the reclamation of certain lands on the foreshore of Tuticorin from Messrs: Ralli & Co on payment to them of Rs 3000

1.7.95 No. 477 D.
25.4.95 " 62 D
19.4.95 " 20 D
19.4.95 " 111 Marine.

with Endt

Mar G.O. No. 111 dt 19-4-95 orgl 5699
382 dt 24-9-94 Mr

10

Endt No. 1686

The Marine Dept agrees with the Supg Engr and the P. W. dept. The creation of permanent private rights in the foreshore should not be allowed.

Fredrick Price
Chief Secretary

CHIEF SECRETARY
-2 JUL. 1895
GOVERNMENT OF MADRAS

Circd: to H.E. the Govr & the Honble Mr Bliss in Marine.

Ootacamund }
20 July 1895 }

Encl 3 4

Recd: 24.7.95

O.S. 2284

CURRENT No. 498

No. 477 D.

Government of Madras.

PUBLIC WORKS DEPARTMENT.

~~MEMORANDUM.~~ Endorsement.

Dated ~~Madras~~, Ootacamund, 1st July 1895.

From the Supdg Engineer VI Circle No ~~11 W.D. dt~~ 1046 I.W. dated 22nd March 1895 ~~18 April 1895.~~

Do — do — No 230 I.N. dated 20th June "

Do — do — No 238 I.N. " 22nd " "

Referred to the Marine Department.

2. The question for decision is whether to give Messrs Ralli and Co land in the foreshore as shown by the yellow strip pinned on the drawing, in exchange for a strip of land required by the railway; or to reserve all land in the foreshore and pay Messrs Ralli & Co Rs 3000 for the strip of land required.

3. The Supdg Engineer is in favor of paying the Rs 3000 and reserving all land in the foreshore for public purposes. In this view the Public Works Department concurs.

Colonel R.E.,
~~Under~~ Secretary to Government,
P.W. Dept.

To
The Marine Dept with the referred papers in original & a plan to be returned

41 -2,000—11-1-95.

P. W. CURRENT No. ~~4868~~ 5655/95

Recd: 25.6.95

From

The Supdg Engr
VI Circle,

To

The Chief Engr
P.W.D.

No 238 I.N.

Dated 22nd June 1895.
Despd 24/—

Reclamation of the foreshore at Tuticorin:—

Submits for orders copy of letter from the Sub-Collector of Tinnevelly enquiring whether there is any objection to the grant of the land applied for by Messrs Ralli Brothers.

1895
Marine Dept.
Enclos. No 1
O. No 498

With C No 4846

O.L.S. 172

A/

B^d R. works

CURRENT No. 498

No. 477 D.

Gobernment of Madras.

PUBLIC WORKS DEPARTMENT.

~~MEMORANDUM.~~

Endorsement

Dated Ootacamund ~~Madras~~, 1st July 1895.

From the Supdg Engineer VI Circle No. ~~11 W.D. of~~ 1046 T.N. dated 22nd March 1895 ~~18 April 1895.~~

Do — do — No. 230 T. N. dated 20th June "

Do — do — No. 238 T. N. " 22nd " "

Referred to the Marine Department.

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3. The Supdg Engineer is in favour of paying the Rs 3000 and reserving all land in the foreshore for public purposes. In this view the Public Works Department concurs.

Colonel R.E.

~~Under~~ Secretary to Government,
P. W. Dept.

To,
The Marine Dept with the referred papers in original + a plan to be returned

41-2,000-11-1-95.

From the Sub: Collector of Tinnevelly to the Supg Engineer, VI Circle, No. Refl. L. on Current No: 1619 of 1894 dated 19 June 1895:—

With reference to your letter No: 60 T.N. of 24 April 1895. stating in connection with the reclamation of the foreshore at Tuticorin, that the question of compensating Messrs: Ralli Brothers by granting a portion of the foreshore is under consideration before Government, I have the honor to inform you that the Government have in their order No: 111 dated 19 April 1895 decided that the land belongs to Govt. and should be handed over to the Port officer, Tuticorin.

2. I have, therefore the honor, now, to enquire if this is the point at issue referred to in your letter under reference and if so whether there is any objection to the grant of the land applied for by Messrs: Ralli Brothers.

not read in the P.W.D.

Ask the Marine Dept for a copy.

27 June 95

Copy put up

No: 238 T.N. Dt. 22 June 1895.

Copy submitted to the Chief Engineer, P.W.D., for orders, in continuation of this office No: 230 T.W. D/. 20' June 1895.

CN. 4846

25-6-95.

2. In this office No: 60 T.W. of 24 april 1895, the Sub Collector was informed that no pledge whatever should be given to Messrs: Ralli Brothers regarding the grant of a portion of the foreshore in exchange to the portion of their premises to be acquired in connection with the reclamation, until the orders of Govt. are received.

3. Nothing is known in this office of the G.O. referred to by the Sub: Col-lector.

W. Hughes.
Superintending Engineer
IV Circle

Supdt. Engrs office Circle
Trichinopoly.
22d. June 1895.

22/6

[illegible] reported papers [illegible]
plan to be returned

E.1

P. W. CURRENT No. ~~4868~~

5655/55

From

The Supdt Engr
VI circle.

To

The Chief Engr
P.W.D.

Recd: 25.6.95

No 238 TW

Dated 22d June 1895.
Despd 24/–

Reclamation of the foreshore at Tuticorin:—

Submits for orders copy of letter from the Sub-Collector of Tinnevelly enquiring whether there is any objection to the grant of the land applied for by Messrs Ralli Brothers.

4846

1895
Mar Dept.
Enclos. No. 1
To
C. No. 498

Letter to C.E. no 4846

C.A.W.
25.6.95

O.L.S. 172

Plan to be returned

E.3

P. W. CURRENT No. 2396

5655/55
1

From

The Supdt Engineer
VI circle.

To

The Chief Engineer
P.W.D.

Encls 2 (plan)

Recd: 26.3.95

No 1046 TW

Dated 22d March 1895
Despd 25/3.

Encls: 2

Foreshore opposite to Messrs Ralli Brothers premises:

Submits for instructions letter from the Sub-Collector Tinnevelly asking opinion in the matter of granting in exchange to Messrs Ralli Bros a portion (100 × 50) feet of the foreshore to be reclaimed & states that it is not advisable to give up the land asked for —

1895
Mar Dept.
Enclos. No. 4
To
C. No. 498

Agent of the Company together with a plan filed by him and to request the favor of your opinion in the matter of granting in exchange to the Company a portion (100 × 50 feet) of the foreshore to be reclaimed.

2 I can see no objection to grant the land in question in exchange for the Company's land required for Government provided that the Company undertakes to use the land for no other purpose than the Construction and use of a Jetty.

3 Please let me know the value of the land and favor me with an early reply as the Company's Case has to be disposed of soon.

I have the honor to be
Sir
Your most obedient Servant

For Ag Sub Collector

SUPG. ENGINEER'S OFFICE,
No. 1003 7/4
20 MAR. 95
P.W.D.
SIXTH CIRCLE.

No: 770

Enclos: 2
1 - Drawing
1. Letter

Forwarded to the Superintending Engineer for favour of ~~orders~~ orders as to whether the Sub Collector may be asked to settle the compensation on the terms proposed

C. W. Wood
16/3 Exec: Engineer

No 1046 TW.

Submitted to the Chief Engr for instructions - The dimensions of the land asked for by Messrs. Ralli Bros. show that it is ~~probably~~ evidently intended to erect a building - The estimated cost of taking up 182 s-yds of Messrs. Ralli Bros premises is Rs 3000. I do not think that even for the sake of saving this large sum the land asked for should be given - I think the foreshore and reclaimed land should be reserved for public purposes.

21/3/95. W. Hughes S.E. 6 circle

+ To be returned 0 25/

Enc: 2 1 Tracing 2 To be kindly [illegible]

Tinnevelly Sub Collector's office

EXECUTIVE ENGINEER
981/2
16 MAR. 95

From

M. D. Bell Esqr
Ag Subcollector
Tinnevelly

SUPG. ENGINEER'S OFFICE,
No. 1003
20 MAR. 95
P.W.D.
SIXTH CIRCLE.

To

The Executive Engineer
Tinnevelly

Dated 14th
Despd 14th } March 95
Recd

Refd on Current No. 1619 of 1894
DEPT.
Ecce 2 Edn

Sir.

over

In connection with the acquisition of land in front of Messrs Ralli Brothers at Tuticorin - measuring 182 sq yds for the siding of the Railway to the new pier, I have the honor to enclose a letter dated the 11th current from the

---

Current No. 1619 of 1894
Cdl

SUPG. ENGINEER'S OFFICE,
No.
20 MAR. 95
P.W.D.
SIXTH CIRCLE.

Pus: 4
5696/95
5695

1895
Ircal Dept.
Enclr No. 2
O. No. 478

Pw
C. No 4868.
BW

CAW
21-3-95

O.L.S. 173

E.1

TINNEVELLY
11 MAR 95
SUB-COLLECTOR'S OFFICE

Tuticorin
11th March 1895

The Sub Collector
of Tinnevelly

Sir,

We beg to enclose tracing of the foreshore opposite our premises sent to us by the Executive Engineer wherein we have fixed the plot of land we consider suitable for us marking it by a slip measuring 110 × 50 ft pinned on the tracing.

We have no objection to the slip being shifted one way or another provided the site so indicated is not too far out of our premises so as not to inconvenience us for our jetty.

We may also mention that we have fixed our site on the reclamation ground alone which we

is Rs 3000. I do not [illegible] even for the Sake of saving this large sum the land asked for should be given - I think the foreshore and reclaimed land should be reserved for public purposes.

21/3/95. W. Hughes S.E.
6 circle

× To be returned D 25/

No: 2 1 Tracing } To be kindly r[illegible]

for the [illegible] Railway to the new peir, I have the honor to enclose a letter dated the 11th current from the

---

E.2

P. W. CURRENT No. ~~4846~~

5658/95

P. W. D. 6th CIRCLE

FROM

THE SUPERINTENDING ENGINEER,
6th CIRCLE.

TO

THE CHIEF ENGINEER,
P.W.D.

No. 2307 N

Dated 20
Received 21 } June 1895.

Enclosures. 1

Foreshore at Tuticorin:-

Returns the plan of the —— & states that he has permitted the Exec: Engr to extend the reclamation to the pencil line drawn with a radius of 330 ft in order that a temporary line of rail may be laid down avoiding Messrs Ralli Brother's land.

Encls / Plan

Recd: 25. 6. 95

1895
Mar
Enclos. No. 2
O. No. 478

For orders

Ch. 4868

C.A.W.
25.6.95

O.L.S. 173

OFFICE O

No. 230 T.W.

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FROM W. H

~~THE~~ SUPERIN

TO

THE CHIE

SIR,

ENCLOSURES } 1. Plan

-close a plan
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19 April 1895.
Engineer last
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to extend th
line drawn w

500—13 11-93.

0-25/

+ To be returned

Co: 2 1 Tracing } To be kindly r

order that a temporary
be laid down avoiding
Brothers' land. I have
from the Chief Engineer,
that the permanent line
made of less radius th
it must therefore go th
Ralli Brothers' premise
the plan.

I have the
Sir
Your most obe

Supg Engineer

GOVERNMENT OF MADRAS.

MARINE DEPARTMENT.

Read—the following papers :—

From M.R.Ry. J. M. B. ROCHE VICTORIA Avargal, Chairman, Municipal Council, Tuticorin, to the Chief Secretary to Government (through the Sub-Collector of Tinnevelly), dated Tuticorin, 23rd January 1895, No. 24.

With reference to a resolution of the council dated 18th December 1894, copy of which is enclosed, I have the honour to submit that that part of the foreshore which has been reclaimed, levelled and planted by the municipality has been all along under the jurisdiction of the council as per G.O., dated 1st December 1875, No. 2355. As it was brought to my notice that the Port Officer has levied fees for the storage of goods on this part of the beach, I addressed him a letter pointing out that, under the said Government Order, the land is vested in the municipal council and requested him to refund the amount hitherto collected by him for the goods deposited on the said land. In reply he refused to comply with my request and referred me to G.O. No. 1861, dated 21st September 1875, which you will find has not been conclusive in itself and which has been superseded by a subsequent G.O., dated 1st December of the same year.

2. Under these circumstances, I beg to request you to be so good as to issue necessary instructions once more to the Port Officer not to interfere with the municipal council regarding it and to remit all the fees hitherto collected by him for the storage of goods in the said land.

Enclosure.

Extract from the Proceedings of the Municipal Council, Tuticorin, in their special meeting held on Friday the 18th December 1894 at 5 P.M.

* * * * *

2. Read motion from the Chairman, dated 28th November 1894, regarding the fees collected by the Port Officer for storage of goods on the foreshore which belongs to the municipality.

Resolved that the matter be referred to Government in connection with G.O. No. 2355, dated 1st December 1875, Financial, and the Government be requested to order the Port Officer to pay to the municipality the fees collected by him for rent of the said land.

* * * * *

(Signed) J. M. B. ROCHE VICTORIA,
Chairman.

Current No. 194–Gl. Rev.

Forwarded. A report on the subject will be submitted to the Collector shortly.

(Signed) M. D. BELL,
Ag. Sub-Collector.

31*st January* 1895.

Endorsement on Current No. 194-Gl.

Submitted.

2. The construction of a sea wall was commenced by the Municipal Commissioners of Tuticorin in 1869 in order to prevent the sea from encroaching upon the beach road. Finding that the municipality had to give up the work owing to want of funds and material, application was made to Government for assistance. In 1870 and in the following year, Government, in their orders noted in the margin, sanctioned three allotments aggregating to a sum of Rs. 3,355-8-0 for the purchase and cost of landing of ballast stone for the revetment of the work, the coral stone for the backing of the wall, sand for filling up the ground to the rear of the wall and labour being defrayed from Municipal funds. The municipality spent on the work from 1869–76 a sum of Rs. 3,981-4-5 apparently under the impression that the eastern boundary of the municipality was the sea.

G.O., No. 218, dated 27th July 1870, Marine.
" " 39 " 8th Feb. 1871 "
" " 151 " 26th May 1871 "

3. In 1875, the municipality proposed bye-laws for the sanction of Government for the levy of fees for carpenters' and blacksmiths' sheds on the beach and for docking boats, dhonies and ships on the beach. This proposal was negatived by Government in G.O. No. 1861, Financial, dated 21st September 1875, on the ground that the money so raised within port limits (*i.e.*, within fifty yards above high water mark) properly belonged to Port funds. In the same order the Government remitted for the remarks of the Master Attendant, Madras, the question whether the jurisdiction of the municipal councillors should not be declared to have ceased "towards the east at the point on the beach where the fifty yards beyond high water-mark begins." On perusal of the remarks of the Master Attendant, Madras, the Government, in G.O. No. 2355, Financial, dated 1st December 1875, ordered that "that portion of the ground within port limits at Tuticorin which has been levelled and planted by the municipality for the recreation of the residents *will be allowed to continue under the charge of Municipal Commissioners;* but all other lands falling within port limits as defined by law will be under the jurisdiction of the Master Attendant and Conservator of the Port."

4. A sketch is enclosed showing the portion of land claimed by the municipality as having been levelled and planted at its cost. The extent of the reclamation from Messrs. Parry and Co.'s jetty to the Government jetty measures 13,090 square yards and the portion from the Government jetty to the Bank measures 300 square yards approximately.

5. In 1876, a Municipal Commissioner of Tuticorin moved the council to apply to Government for the refund of money laid out on the sea wall. The council, however, resolved that, as the Government gave a grant of Rs. 3,355-8-0 towards the cost of the stone required for the sea wall and the work was undertaken by the municipality for the benefit of the town, it was inexpedient and unnecessary to address Government for a refund. Later on the Municipal Commissioner pressed the question before the Collector, and the Collector then made inquiries as to the portion of land on the beach which might be regarded as being in the charge of the Municipal Commissioners. The Port officer, Mr. G. A. Phipps, reported that the land on the beach south of the Bank, which was used for docking and other purposes, should be in charge of the Master Attendant of the port, as it was not reclaimed by the municipality and that the portion reclaimed was between Messrs. Parry and Co.'s jetty and the Bank.

6. In 1885, the Port Officer, Tuticorin, solicited the sanction of the Master Attendant, Madras, for spending a sum of Rs. 300 for landing stone ballast to improve the foreshore. The latter officer declined to sanction the charge on the ground that it was purely a municipal charge. It was then pointed out by the Acting Port Officer that the strip of land reclaimed by the municipality was to the north of the Government jetty and that his proposal to revet the foreshore was in respect of the land between the Government jetty and the Bank. (This report of the Acting Port Officer is apparently in conflict with Mr. Phipps' report of 1876). The revetment of the foreshore between the Government jetty and the bank was then carried out by the Marine department.

7. In 1888, the Government sanctioned, at a cost of Rs. 1,830, the laying of a tramway line on the beach within port limits, along the land now claimed by the municipality to connect the inner end of the Tuticorin pier (Government jetty) with the South Indian Railway.

8. In 1891, a corrugated iron goods-shed was constructed at a cost of Rs. 8,000 on the land now claimed by the municipality immediately to the north of the Government jetty under the sanction conveyed in G.O. No. 868-W., dated 24th March 1891. A scale of fees was prescribed for storage of non-dutiable goods in the goods-shed in notification published in page 1304, Part I of the *Fort St. George Gazette* dated 25th October 1892. In G.O. No. 250, dated 21st July 1893, Marine, as amended by G.O. No. 324, Marine, dated 6th September 1893, a schedule of rates of rent for the occupation of port land has been prescribed.

9. In 1893, the municipality imposed house-tax for the goods-shed erected on the beach by the Marine department. The Port Officer, Tuticorin, took objection to the payment of the tax and proposed to the Presidency Port Officer the desirability of recouping the municipality for the sum expended by it in respect of the sea wall in view of the land reclaimed being transferred to the Marine department. The claim to the land reclaimed having been set up by the municipality in the correspondence about house-tax, the Collector, Mr. G. S. Forbes, in transmitting the Port Officer's communication to the Presidency Port Officer, observed :—"The claim set up by the municipality is really only to the taxation of the buildings newly erected on this land. There is no claim so far as I can see to the land itself which is clearly port land belonging to Government. The land was reclaimed at the expense partly of the municipality and partly of the Port funds. This fact did not alter the ownership of the land which was already Government land within port limits. The municipality were equally interested in securing a satisfactory and durable reclamation on account of the protection it gave to the town property. Whether the cost was fairly divided between the owner of the land and the municipality is not a question which need now be re-opened, for the municipality expressly waived, by a resolution passed in April 1876 (copy enclosed), any claim to reimbursement or re-adjustment.

"3. * * * * *

"4. I am of opinion that the taxation be admitted subject to the usual certificate of the Executive Engineer provided there is no legal enactment, of which I am not aware, exempting port property from municipal taxation."

10. No further correspondence passed through this office on the subject. The municipality now apply for a refund of the rent realized by the Marine department on account of the storage of goods on the land in dispute. Apparently the claim refers to the rent realized according to column of the schedule of rates sanctioned in G.O. No. 250, Marine, dated 21st July 1893 (as revised by G.O. No. 324, dated 6th September 1893). It may be remarked in passing that the municipal council might equally well lay claim to the rent realized for the storage of goods in the goods-shed or the fees levied for the use of the tramway, for both goods-shed and tramway occupy parts of the same land.

11. The admissibility or otherwise of the claim of the municipality for refund of the rents collected by the Marine department depends on the question whether the strip of foreshore land between the Madras Bank and Messrs. Parry and Co.'s jetty is to be construed as being the property of the Marine department or of the municipality. The resolution of the council now under consideration claims both the rent and the land. A copy of the letter of Mr. Baker, the Port Officer, Tuticorin, on the subject is enclosed. I agree with Mr. Forbes that the reclaimed ground being within port limits is undoubtedly still Government property. It was by the G.O. of 1st December 1875, No. 2355, left *in charge of the Municipal Commissioners*, but did not thereby become the property of the municipality. The municipality did not urge any claim

for the land when the tramway was laid on it in 1888, or when the goods-shed was constructed upon it in 1891. The municipality has never used the land in any way, nor has the council improved it except by the planting of a few portia trees.

12. Government, in its order No. 1861, Financial, dated 21st September 1875, expressly negatived the proposal of the municipality to levy fees for the use of land within port limits. The present claim is practically a repetition of the claim which was negatived in 1875 and should on the same ground, I submit, be negatived.

13. In order to avoid future dispute, I suggest that the sum of Rs. 3,981–4–5 which was spent on the work by the municipality should be repaid to it from Port funds, and that, for the present at all events, the land should be taken out of the charge of the municipal council. This latter course appears to me to be necessary, both because the space for the storage of cargo at Tuticorin is very limited and this land is frequently required for that purpose, and because the land under dispute is now proposed to be added to along a considerable portion of its length by a further reclamation at a cost of about Rs. 40,000 in connection with the jetty now under construction. The railway line to the new jetty must also cross this land, and it is possible that a convenient method of compensating Messrs. Ralli Brothers for the area to be cut off from their premises by the railway line will be by a grant of a piece of this land in exchange.

14. When the new reclamation work and the railway line thereon have been completed, the question whether any portion of the land reclaimed should be again placed under the charge of the municipal council, or whether it will be necessary that the whole should be administered by the Port Officer, might be considered.

15. The chairman's letter herewith submitted has been delayed pending the receipt of a report from the Port Officer and the Sub-Collector on the subject.

16. I am sending a copy of this communication and the Chairman's and Port Officer's letters to the Presidency Port Officer with a request to send his remarks to Government for its consideration before disposal of the subject.

TINNEVELLY,
26*th February* 1895.

(Signed) A. W. B. HIGGINS,
Acting Collector.

ENCLOSURES.

PROCEEDINGS of the Municipal Commissioners of Tuticorin at a meeting held on Saturday the 22nd April 1876.

* * * * *

2. Read letter from Commissioner Mr. M. L. Motha about applying to Government for the refund of money laid out on sea wall by the municipality.

Resolved that as it appears that Government gave a grant of Rs. 3,355–8–0 towards the cost of the stone required for the sea wall and the work was undertaken and carried out by the Municipal Commissioners for the benefit of the town, it is inexpedient and unnecessary to address Government for the refund of the amount expended in years gone by by the municipality.

* * * * *

(Signed) R. RICE,
Vice-President.

From T. H. BAKER, Esq., Port Officer, Tuticorin, to the Sub-Collector of Tinnevelly, dated Tuticorin, 21st January 1895, No. 4—14.

With reference to your reference on current No. 1932 of 1894, dated 17th January 1895, I have the honour to inform you as follows.

In 1870, Rs. 1,000 were allotted from Port funds to meet the expenses of revetting the foreshore to prevent the encroachment of the sea (*vide* G.O., No. 218, dated 27th July 1870); in 1871, a further sum of Rs. 1,000 from the same source was expended (*vide* G.O., No. 39, dated 8th February 1871); and again in May, same year,

Rs. 1,355–8–0 (making a gross total of Rs. 3,355–8–0) was utilized—*vide* G.O. No. 151, dated 26th May 1871. The ground thus protected at the expense of Port funds was unfortunately made over by the advice of my predecessor to the municipality to level and plant as a place of recreation, he not foreseeing how necessary it was to keep it for port purposes; in 1888, however, he apparently took possession of a portion of it and laid a tramway connecting the pier with the South Indian Railway siding and levied fees for the use of it, no question regarding the legality of same being then raised by the municipality; in 1891 a further portion was taken up and goods-shed erected; again no objections were raised by the municipality, but, on the introduction of fees being levied for all land within port limits occupied by cargo, &c., the chairman apparently thought he saw his way to increasing municipal revenue regardless of the fact that G.O. No. 1861, dated 21st September 1875, vetoed the levy of fees by the municipality. As Port funds are now providing a sum of some Rs. 40,000 for reclaiming and increasing the area of *the very land under dispute*, and as cargo storage space is so limited that when a rush comes every square inch of land north and south of the jetty is required, I am of opinion that Government should be moved to decide as to whether the land in question is port land or not. I argue that the municipality have years ago waived their claim to it as they have never made use of it in any way or attempted to improve or even keep it up. Papers in connection with the case are herewith forwarded for perusal and return.

No. 395, Local and Municipal.

Transferred to Marine Department.

(Signed) W. FRANCIS,
Ag. Asst. Secretary.

FORT ST. GEORGE,
13*th March* 1895.

From Commander W. POWELL, R.I.M., Presidency Port Officer, Madras, to the Chief Secretary to Government, dated Madras, 22nd March 1895, No. 163—78-G.

With reference to the letter to Government from the Chairman, Municipal Council, Tuticorin, dated 23rd January 1895, No. 24, a copy of which has been forwarded to me under endorsement dated 26th February 1895 by the Collector of Tinnevelly with a request that my views on the subject may be communicated to Government, I have the honour to state that I fully concur with the Collector's opinion as expressed in paragraph 13 of his endorsement and would add further that on repayment of the sum mentioned the control of the land should be permanently taken away from the municipality and vested in the Port Officer.

ORDER—dated 19th April 1895, No. 111, Marine.

The Government agrees with the Collector. There can be no doubt that the land in question has all along belonged to Government. The municipal council will now be repaid the sum expended, viz., Rs. 3,981–4–5, and the land will be formally withdrawn from their charge and handed over to the Port Officer. The amount will be made available from Port funds.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Presidency Port Officer.
,, Collector of Tinnevelly, with sketch.
,, Revenue Department.
,, Local and Municipal Department.
,, Financial Department.

Exd. S. J. Pereira.

Govt. of {1895} Madras.

MARINE.

Issued

Recd. *Encl.*

G.O., 19th April 1895, No. 111.

APRIL.

Tuticorin Port.

Directing that the land adjoining the sea wall at the — now in the possession of the municipality of the place should be handed over to the Port Officer on payment of Rs. 3,981-4-5, the sum expended by the municipality for the improvement of the land.

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1895} Madras.

PUBLIC WORKS.

Dated July, 24th.

Recd. *Encl.*

G.O., 24th July 1895, No. 1823 W.

JULY.

Foreshore at Tuticorin

Endorsement in the Marine Department agreeing with the Public Works Department in the matter of reserving all land in the -- for public purposes, communicated to Superintending Engineer, VI Circle, for information and guidance.

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

Buildings and Roads.
Civil Works.

Read—the following papers :—

From the Agent, Messrs. Ralli Brothers and Co., to the Sub-Collector of Tinnevelly, dated Tuticorin, 11th March 1895.

We beg to enclose tracing of the foreshore opposite our premises sent to us by the Executive Engineer, wherein we have fixed the plot of land we consider suitable for us marking it by a slip measuring 110 × 50 feet pinned on the tracing.

We have no objection to the slip being shifted one way or another, provided the site so indicated is not too far out of our premises so as not to inconvenience us for one jetty.

We may also mention that we have fixed our site on the reclamation ground alone which we consider free from the claims on the foreshore of the Port office and the Municipality.

From M. D. BELL, Esq., Acting Sub-Collector, Tinnevelly, to the Executive Engineer, Tinnevelly, dated 14th March 1895, Ref. I. on Current No. 1619.

In connection with the acquisition of land in front of Messrs. Ralli Brothers at Tuticorin, measuring 182$\frac{1}{6}$ square yards, for the siding of the railway to the new pier, I have the honour to enclose a letter,* dated the 11th current, from the Agent of the company together with a plan * filed by him and to request the favour of your opinion in the matter of granting in exchange to the company a portion (100 × 50 feet) of the foreshore to be reclaimed.

* To be returned.

2. I can see no objection to grant the land in question in exchange for the company's land required for Government, provided that the company undertakes to use the land for no other purpose than the construction and use of a jetty.

3. Please let me know the value of the land and favour me with an early reply, as the compensation case has to be disposed of soon.

No. 770.

Forwarded to the Superintending Engineer for favour of orders as to whether the Sub-Collector may be asked to settle the compensation on the terms proposed.

(Signed) C. W. WOOD,
Executive Engineer.

16th March 1895.

No. 1046 T.N.

Submitted to the Chief Engineer for instructions. The dimensions of the land asked for by Messrs. Ralli Brothers show that it is evidently intended to erect a building. The estimated cost of taking up 182 square yards of Messrs. Ralli Brothers' premises is Rs. 3,000. I do not think that even for the sake of saving this large sum the land asked for should be given. I think the foreshore and reclaimed land should be reserved for public purposes.

(Signed) W. HUGHES,
Suptg. Engineer, VI Circle.

22nd March 1895.

From W. HUGHES, Esq., Superintending Engineer, VI Circle, to the Chief Engineer, Public Works Department, dated Trichinopoly, 20th June 1895, No. 230 T.N.

I have the honour to enclose a plan of the foreshore at Tuticorin asked for in your No. 20 D., dated 19th April 1895. In writing to the Executive Engineer last month, Messrs. Ralli Brothers' agent stated that the measurement of the land they required was 110′ × 50′, and that they have no objection to its being on any part of the foreshore between the road and railway, but not further south than Messrs. Darley Butler and Co.'s jetty.

2. In case of much further delay in settling with Messrs. Ralli Brothers, I have permitted the Executive Engineer to extend the reclamation to the pencil line drawn with a radius of 330 feet in order that a temporary line of rail may be laid down avoiding Messrs. Ralli Brothers' land. I have ascertained from the Chief Engineer, South Indian Railway, that the permanent line cannot be made of less radius than 480′, and it must therefore go through Messrs. Ralli Brothers' premises as shown on the plan.

From the Sub-Collector of Tinnevelly, to the Superintending Engineer, VI Circle, dated 19th June 1895, Ref. L. on Current No. 1619 of 1894.

With reference to your letter No. 60 T.N. of 24th April 1895, stating in connection with the reclamation of the foreshore at Tuticorin that the question of compensating Messrs. Ralli Brothers by granting a portion of the foreshore is under consideration before Government, I have the honour to inform you that the Government have in their Order No. 111, dated 19th April 1895, decided that the land belongs to Government and should be handed over to the Port Officer, Tuticorin.

2. I have, therefore, the honour now to enquire if this is the point at issue referred to in your letter under reference and, if so, whether there is any objection to the grant of the land applied for by Messrs. Ralli Brothers.

No. 238 T.N.

Copy submitted to the Chief Engineer, Public Works Department, for orders, in continuation of this office No. 230 T.N., dated 20th June 1895.

2. In this office No. 60 T.N. of 24th April 1895, the Sub-Collector was informed that no pledge whatever should be given to Messrs. Ralli Brothers regarding the grant of a portion of the foreshore in exchange to the portion of their premises to be acquired in connection with the reclamation, until the orders of Government are received.

3. Nothing is known in this office of the Government Order referred to by the Sub-Collector.

(Signed) W. HUGHES,
Suptg. Engineer, VI Circle.

22nd June 1895.

No. 477 D.

Referred to the Marine Department.

2. The question for decision is whether to give Messrs. Ralli and Co. land in the foreshore as shown by the yellow strip pinned on the drawing, in exchange for a strip of land required by the railway; or to reserve all land in the foreshore and pay Messrs. Ralli and Co. Rs. 3,000 for the strip of land required.

3. The Superintending Engineer is in favour of paying the Rs. 3,000 and reserving all land in the foreshore for public purposes. In this view the Public Works Department concurs.

Ootacamund,
1st July 1895.

(Signed) J. PENNYCUICK, Colonel, R.E.,
Secretary to Govt., P.W.D.

No. 1686, Marine.

The Marine Department agrees with the Superintending Engineer and the Public Works Department. The creation of permanent private rights in the foreshore should not be allowed.

Ootacamund,
20th July 1895.

(Signed) J. F. PRICE,
Chief Secretary.

Order—dated 24th July 1895, No. 1823 W., Public Works.

The endorsement in the Marine Department, No. 1686, dated 20th July 1895, is communicated to the Superintending Engineer, VI Circle, for information and guidance.

(True Extract.)

Under Secy. to Govt., P.W.D.

To the Superintending Engineer, VI Circle, with one plan.
„ Marine Department.

Exd T. K. Narayana Aiyangar.
Spare Copies

BUILDINGS AND ROADS.
CIVIL WORKS.

Govt. of {1895} Madras.

PUBLIC WORKS.

Dated July, 24th.

Recd. *Encl.*

G.O., 24th July 1895, No. 1823 W.

JULY.

Foreshore at Tuticorin

Endorsement in the Marine Department agreeing with the Public Works Department in the matter of reserving all land in the -- for public purposes, communicated to Superintending Engineer, VI Circle, for information and guidance.