M.R.O. 14—10,000—21-4-33

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1017 — Press / ~~Mis.~~

78-79.

Dated 13 — 5 — 1861.

Not to be folded or roughly handled.

Proceedings of the Madras Government, Revenue Department, 13th May 1861.

No. 78. Read the following Proceedings of the Madras Government in the Financial Railway Department, dated 8th May 1861, No. 353:—

Communicating that the Order of Government dated 24th April applied only to the ground colored green in the Plan furnished by the Railway authorities. (Vide Financial Proceedings, 8th May 1861, Nos. 39, 40.)

No. 79. ORDER THEREON, 13th May 1861, No. 1,017.

Ordered to be recorded.

(Signed) J. D. SIM,

Secretary to Government.

FINANCIAL RAILWAY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from B. CUNLIFFE, Esq., Collector of Madras, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Saidapet, 30th April 1861, No. 18.

The ground, coloured green in the Plan accompanying the Government Order of the 24th instant, No. 419, forming portion of the Town Esplanade, is already in the possession of the Government, and the present orders regarding it will be attended to.

2. From the remarks in paragraph 2, I am apprehensive that the Government consider that I am able to prevent encroachments upon any waste and unoccupied ground within the limits of Madras, which it may be desirable to keep vacant for Government purposes. I beg therefore to explain my powers in that respect.

3. The Town Esplanade extends for 600 yards from the Town Wall. The greater portion of it, indeed nearly the whole, is waste in the possession of the Government, but there exist certain occupied lots, the property of private parties. The waste ground is of course available to the Government at any time.

4. Beyond the Esplanade, there are large tracts of immemorial waste lands, in the villages of Viasarpadi and Peramboor, which in the present state of the Mirasi question in Madras, I consider to belong jointly to the Mirasidars and to the Government, *i. e.* that the former can enter upon them at will, paying the Government Assessment, and that the latter may take possession of them at pleasure for any Government purpose, without reference to the Mirasidars.

5. The opinion of the Board of Revenue, that Mirass does not extend to waste, much less to "immemorial waste," I hold to be untenable, and that the Government would be unsuccessful in endeavoring to oust a Mirasidar, or a purchaser from a Mirasidar, in possession of immemorial waste land. On the other hand, the Government if in possession, could not be ejected by a Mirasidar, on the ground of proprietory right, and that such right had not been alienated.

6. As enjoyment gives a good title, it has been the aim of the Mirasidar, to pre-occupy land, of which they suppose the Government are in want, and thus compel the latter to purchase from them, and it has been my effort to anticipate them in possession.

7. I wish to represent therefore the expediency of my being informed, demi-officially, if practicable, of the desire of the Government, to secure waste land within Madras, that I may proceed and take quiet possession, before the wishes of Government are generally known, as there is danger of there being, after the official orders have passed through the two offices.

8. The land adjoining the Town Esplanade, is immemorial waste in the village of Viasarpadi; had the Order of the 24th instant referred to it, and on proceeding to the spot had I found the Mirasidars in enjoyment having anticipated me but a few minutes, they would have demanded, and probably would have received, 35 Rupees per ground, or 840 Rupees the kani, as that was the price paid for the Esplanade, which was similarly waste ground when purchased. The price, on arbitration, might be lowered, but it would still be large.

ORDER THEREON, 8th May 1861, No. 353.

Ordered to be communicated to the Revenue Department.

2. The Orders of Government of the 24th ultimo applied only to the ground coloured green in the plan furnished by the Railway authorities.

(True Extract.)

Chief Secretary.

To the Revenue Department, with Plan.
„ Collector of Madras.

Exd. F. Cartledge.

Fin. & Dep.t Rec.d 3d April 1861
No. ~~111~~ 112-113.

Revenue 1861. Sykes
Sho: of Govt for allay-
No 1113

Sho: Madras Govt
in the Financial
Railway Department-

Dated 8th May
Rec.d 10th 1861
No 353.

Enclosure Plan not rec.d
in the Rec.d Off.e

No 1017.
Ordered to be
recorded —
for ~~the~~ the Sec.y:
13th May 1861

Communicating that the
order of Govt dated 21st Apl.
applied only to the ground
coloured orange on the plan
furnished by the Railway
authorities.

No 1017- 13th May-

No 78 & 79.

Recorded
J.D.S.