

MADRAS RECORD OFFICE.**Government of Madras:***Revenue* **DEPARTMENT.**

G.O. No.	754	Press
		Mis.
80-81		
Dated	4-4-1862	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
4th April 1862.*

No. 80. Read the following Proceedings of the Board of Revenue, dated 17th February 1861, No. 1,111:—

Read again letter from the Acting Collector of Kurnool, dated 28th March 1860, No. 36, reporting on the proposed levy of quit-rent on the lands occupied by private persons in the Kurnool Fort.

(In Cons. 2nd April 1860, No. 1,482.)

Read also the following letter from the same Officer, dated 14th December 1861, No. 140:—

1. I have the honor to forward a Plan of the Fort of Kurnool, and a Statement of the houses, and their present occupants, called for in the Board's Proceedings, dated May 4th 1860, No. 2,189.

2. I would propose a quit-rent of Rupees 2 per acre to be imposed on the lands occupied by the Khandan, and European residents, redeemable on the ordinary rules for holding Freehold, and building properties.

3. I beg that the plan may be returned for record in this Office.

3. The delay in the transmission of the required information has been caused by the plan having been only furnished on the 11th instant by the Engineer Department.

List of Khandan's and European's houses in the Fort of Kurnool.

No. in plan.	Area in Acres and squareyards.	Name of Owners.	Names of Resident.	Remarks.
	A. Yds.			
1	0	106 Soodeebbee Mosaib...	Herself.	2 places.
2	0	230 Vuzeerumesa Bagum	Do.	
3	0	114 Vuzeer Khanum...	Do.	2 places.
4	0	266 Abeebe Khatoon...	Do.	
5	0	55 Furkonysa Bagum...	Do.	
6	0	99 Shemsoozoah Mosaib...	Do.	
7	0	86 Sholum Khatoon...	Do.	
8	0	102 Vuzeerbee Mosaid...	Do.	
9	0	66 Zorabee do.	Do.	
10	0	105 Zummoobe do.	Do.	
11	0	71 Chota Futta Khatoon.	Do.	
12	0	135 Buda do.	Do.	3 places.
13	0	79 Hussainbee Mosaib...	Do.	2 places.
14	0	117 Noorbagum do.	Do.	2 places.
15	0	739 Nezamkhatoon...	Do.	
16	0	169 Fuckroobee and Roshembee	Do.	
17	0	116 Shummuth Khatoon...	Do.	2 places.
18	0	216 Mahur do.	Do.	2 places.
19	0	92 Mausoombee...	Do.	
20	0	244 Musruth Mosaib...	Do.	
21	0	166 Ruheem Khatoon..	Do.	
22	0	222 Alum do.	Do.	
23	0	172 Nuseeb do.	Do.	
24	0	2,600 Saudut do.	Do.	5 places.
25	0	121 Jumal do.	Do.	
26	0	672 Mohuddeen do.	Do.	2 places.
27	0	861 Kareem do.	Do.	2 places.
28	0	1,061 Hummuth do.	Do.	
29	0	39 Kasurma....	Do.	2 places.
30	0	82 Boram do.	Do.	2 places.
31	1	412 Hyderally Khan Bahadur...	Himself.	4 places.
32	0	923 Abbasully Khan	Do.	2 places.
33	0	1,644 Khedurkhan Bhaudur.	Do.	2 places.

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No. in Plan.	Area in Acres and square yards.	Names of Owners.	Names of Resident.	Remarks.
34	0 722	Azmuth Khatoon...	Herself.	
35	0 3,055	Munvur do. ...	Do.	
36	0 172	Laulbee...	Do.	
37	0 276	Thatch Khatoon...	Do.	
38	0 287	Nusbee do. ...	Do.	
39	0 394	Himmuth do. ...	Do.	
40	0 4,028	Abeeb Khan Meya...	Himself.	
41	0 1,114	Muroth Khatoon...	Herself.	
42	0 829	Azmuth do. ...	Do.	
43	2 3,264	Davood Khan Meya Bahadur...	Himself.	
44	0 39	Beebee Khatoon	Herself.	
45	1 2,093	Hummuth Khan Bahadur.	Himself.	2 places.
46	1 1,160	Hussainally Khan...	Do.	
47	0 1,266	Yakoob Khan...	Do.	
48	1 2,804	Esufally Khan...	Do.	
49	0 1,778	Goolammodeen Khan Suvyagy.	Do.	2 places.
50	0 4,511	Vuzeerally Khan...	Do.	2 places.
51	1 2,782	Auzum Khan Meya...	Do.	
52	0 3,873	Dauda Khan.	Do.	
53	0 3,571	Ausuffally Khan...	Do.	
54	0 2,833	Mohuddeen Khan Bahadur.	Do.	
55	0 297	Thurab Khatoon...	Herself.	2 places.
56	0 1,166	Sahed do. ...	Do.	2 places.
57	0 2,022	Moduddeen Khatoon, Assainally Khan and Munsoorally Khan...	Themselves.	
58	0 3,655	Shaka Muhul...		
59	0 1,754	Cuttal Saib...		
60	0 1,566	Yacoob Khan.	Ruined.	
61	0 2,889	Jynub Khatoon...	Himself.	
62	0 3,026	Neyamuth do. ...	Herself.	
63	0 661	Muborus do. ...	Do.	2 places.
64	0 339	Maunbukush.	Do.	
65	0 1,155	Lauld Mukol...	Do.	
66	0 4,555	Rausub Khatoon.	Ruined.	
67	0 139	Selar Khatoon...	Herself.	
68	1 1,776	36th Regiment N. I.	Do.	
69	0 1,707	Innus Khan	Mess house.	
70	0 4,168	Anuntaramsing...	Captain R. P. Philipps.	
71	0 1,943	Cuttal Saib...	Colonel M. Galway.	
72	0 558	Goolammodeen Khan Suvyagy.	Captain J. Beatty.	
73	0 418	Hakeem Mohomud Saib....	Officers of the Irrigation and Canal Company.	
74	1 71	Munshree Syedally	Do.	
75	0 3,291	Mala Thippimmah...	Ensign Grove.	
76	0 866	Cuttal Saib	Surgeon Rotton.	
77	0 4,611	Nursunnah Paul...	Unoccupied.	
78	0 90	Do.	T. C. Bird, Captain.	
79	0 4,755	Jolapur Musta Khan...	A. C. Phillips, Captain.	
80	1 4,282	Captain Doveton...	Band Master of the 36th Regiment.	
81	2 2,520	Cuttal Saib...	Captain Doveton.	
82	0 1,994	Mr. R. W. Blake.	Dr. DeFabeck.	
83	0 522	P. Ramanjulu Naidu.	Mr. R. W. Blake.	
84	0 644	Do.	Mr. Spechely.	
85	0 2,039	Anuntaram Sing...	Apothecary.	
86	0 726	Government...	Adjutant of the 36th Regiment N. I.	
			Jailor.	

Acs. 35-15-91.
District Engineer's Office,
Kurnool,
5th December 1861.

(Signed) J. BEATTY, Captain,
Acting District Engineer of Kurnool.

*Proceedings of the Madras Government, Revenue Department,
4th April 1862.*

1. Resolved that the above communications be submitted for the consideration and orders of Government, with reference to paragraph 4 of the Board's Proceedings, No. 1,299, dated 13th March 1860 and with their recommendation that the Acting Collector of Kurnool be authorized to levy a quit-rent of 2 Rupees per acre on the lands in the Kurnool Fort, aggregating Acres 35, Square yards 15, Square feet 9½, and shown in the above Statement to be occupied by buildings in the possession of private parties.

2. The lands in question appear to have been hitherto free from tax merely from no action having been taken in the matter by previous Agents or Collectors, and Mr. Minchin now reports that no obstacles exist to their being assessed to the public revenue. The houses built on the private lands in the Fort are classified—(I.) Into such as are occupied by the Mess and by the European Officers of the Regiment. (II.) Into those occupied by different members of the late Nawab's family; and (III.) Into those of the ordinary native inhabitants, which, however, being in no respect different from the houses in the Town on which no quit-rent is charged, are omitted in the above Statement with the Board's approval.

3. The houses under Class I, the Collector reports, "were for the most part originally buildings belonging to the late Nawab, and claimed by the Government at the time of the assumption of the country; and as such are liable to resumption under Minutes of Consultation, 11th October 1842, No. 468, Political Department. They have, however, all been enlarged and improved, if not actually re-built, and have been sold and re-sold frequently. They are now generally held by natives and rented out."

4. Of the houses under Class II, "some were assigned during the late Nawab's time to the present occupants, and may be almost looked on as private property, and some were assigned by Government on the assumption of the District. They are all maintained in repair by the occupants, and on some considerable sums have been expended."

5. In their Order quoted in paragraph 3 above, Government considered that the money voluntarily expended by Officers for their own convenience on Government buildings for which they paid no rent, and which were publicly declared liable to resumption or destruction, can give the parties no right to dispose of them, and that individuals should not be allowed to acquire property within the Fort, and in their later Order of 6th December 1842, No. 549, Political Department, it is stated that the Government having resumed all the rights possessed by the late Nawab within the Fort and Territory of Kurnool, all buildings formerly belonging to the Nawab must be considered the property of the Government. "It is not the wish of the Most Honorable the Governor in Council that tenants should be ousted, but he is of opinion that no transfer or sale should be permitted without the sanction of Government, and that the same rule should be applied to all property within the Fort for which there are no formal grants." These orders would, however, appear to have been passed under the impression that the Fort was in a condition to be used as such, and that consequently the acquisition of private property in it would be highly inexpedient in a Military point of view; for on a subsequent representation by His Excellency the Commander-in-Chief that the fortress was in a most dilapidated state, and quite unworthy of the name, the restriction was removed (Extract from Minutes of Consultation in the Revenue Department, No. 450, dated 22nd April 1853), the Agent for Kurnool being informed that "there is no objection to grants being issued for land within the Fort."

6. Under all the circumstances stated above, the Board believe that the most expedient and advantageous course is that proposed by the Acting Collector of levying a quit-rent of 2 Rupees per acre on the whole of the lands shown in the Statement, which is the rate assessed on the lands already held in the Fort under public grants, and to permit their ostensible owners to redeem it under the Freehold Rules on production of good *prima facie* evidence of title.

7. The Acting Collector states that in some of the above grounds occupied by both Europeans and by the Nawab's relatives, "there are wells which are looked on as Government property," and that he does not see how the Government can retain their property in the wells when the fee-simple in the lands is sold. He does not, however, state whether the permanent alienation of any of the wells would be productive of serious inconvenience to the public; but should

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4th April 1862.*

Government accede generally to the recommendation in paragraph 6, each application under the Freehold Rules will come under the Board's consideration, and the Collector will be afforded the opportunity of reporting fully on such cases in which it would be expedient not to sacrifice the public right to the use of wells which may now be of general utility to the community.

8. The state of the Fort walls and ditch is also noticed by the Acting Collector in the earlier letter above recorded. It appears that when the Fort was dismantled, the stone-facing of the walls and counterscarp was permitted to be taken away by the Officers of the Department of Public Works, and has been almost entirely removed and used in building the bridge over the Hindry and other public works, leaving the debris of the wall a lofty mass of loose earth, which prevents the free circulation of air in the Fort, and the ditch as a receptacle for filth of all kinds. The late Acting Collector proposes, as the most economical plan, that the site should be divided into lots, and made over as freeholds to any private individuals who will engage to clear and level them. The Board would, however, recommend that the District Engineer be directed in the first place to state what the expense of levelling the site would be, and also to furnish a rough sketch of it divided into lots as proposed by the late Acting Collector, so as to enable Government to decide at once on the plan that it would be most advisable to adopt.

(True Copies and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 81.

ORDER THEREON, 4th April 1862, No. 751.

1. The Government concur in the recommendation made by the Collector and the Board of Revenue for the treatment of the lands in the Kurnool Fort, specified in the foregoing Proceedings. The amount of assessment is small and of no importance, but a clear principle is followed, and parties who have, and have not, obtained ground under Government grants, are placed on an equal footing.

2. The imposition of a quit-rent, moreover, benefits those persons at present holding by sufferance, inasmuch as it gives them a clear title to what at present they have no title to at all: for the Government makes them proprietors when it levies an assessment from them and gives them the option of redemption.

3. The rate of quit-rent proposed, viz., 2 Rupees an acre, is very light for building ground within a town, but as it appears from paragraph 6 to be the sum usually assessed, it may be so settled.

4. Care must be taken not to give away the public wells alluded to by the Board in paragraph 7, such of these as are required for public purposes should remain the property of Government, and be kept available for the use of the general community.

5. With regard to the dilapidated mud rampart and ditch, the Government are of opinion that the best course would be to throw the former into the latter after which the ground thus gained could be sold by auction in lots as sites for houses. The sanitary improvement of the Fort would be effected most quickly and surely this way, while the outlay would be more than recovered. The question as to the mode of carrying out this resolve will be considered in the Public Works Department.

(Signed) C. G. MASTER,

Deputy Secretary to Government.

IN CON. 2ND APRIL 1860, No. 1,482.
From G. THORNHILL, Esq., Acting Collector of KURNOOL,
dated Kurnool, 28th March 1860, No. 36.

With reference to the concluding paragraph of the Board's Proceedings, No. 1,299, dated 13th March 1860, calling on me to report whether any obstacles exist to the levy of Quit-rent for the future on all lands occupied by private persons in the Fort, I have the honor to state that the houses occupied by private persons are of several descriptions, viz. :—

1st. The houses occupied by the Mess and by the European Officers of the Regiment.

2nd. The houses occupied by different members of the late Nawab's family.

3rd. The houses of the ordinary native inhabitants.

2. With regard to the houses occupied by the European Officers, they were for the most part originally buildings belonging to the late Nawab, and claimed by the Government at the time of the assumption of the country; and, as such, are liable under Minutes of Consultation, 11th October 1842, No. 468, to resumption. They have, however, all been enlarged and improved, if not actually rebuilt, and have been sold and re-sold frequently. They are now generally held by natives and rented out. Under these circumstances the Government would not, I conclude, exercise their right of actually resuming the buildings, but I see no objection whatever to the levy of a Quit-rent for the future, at the rates already charged on those for which* grants were obtained in 1850, and for the other two for which Freehold Title Deeds have been applied for.

* See Board's Proceedings, No. 1,299, paragraph 5.

3. With regard to the houses occupied by the members of the late Nawab's family* some were assigned during the late Nawab's time to the present occupants, and may be almost looked on as private property, and some were assigned by Government on the assumption of the District. They are all maintained in repair by the occupants and on some considerable sums have been expended. The Government will not, I believe, desire to resume any of these and a Quit-rent might be fixed on those which were assigned by Government without injustice. The occupants would then be able to redeem the Freehold tenure at will.

4. In some of the above grounds, both occupied by Europeans and by the Nawab's relatives, are wells which are looked on as Government property. There is one, for instance, in Mr. Conway's garden, but it is not claimed by him. I do not see how the Government can retain their property in the well when the fee simple of the land is sold, and I shall be glad of the Board's instructions as to how such questions are to be disposed of.

5. The third class of buildings are the ordinary native houses. These in no respect differ from the houses in the town, and it does not appear proper to assess the one with Quit-rent more than the other.

6. I trust I may be permitted to take this opportunity of bringing to the notice of the Board the state of the old Fort walls and ditch. When the Fort was dismantled as a fortress, the stone-work of the walls and counter-scarp was permitted to be taken away by the Officers of the Department of Public Works, and it has almost all been removed and used in building the bridge over the Hindry and other public works, leaving the debris of the wall a lofty mass of loose earth, which prevents the free circulation of air in the Fort, and the ditch as a receptacle for filth of all kinds.

7. The Government would not, I conclude, be prepared to sanction the levelling of this at the public expense; but it is possible that private individuals might be induced to undertake it were the fee simple of the ground so cleared assured to them; and if the plan were approved I would have it divided into lots and use my endeavours to induce people to take them up.

8. A portion of this wall I should mention should not be given to private individuals as it lies immediately between the barracks and the Sepoy lines, and it would be inconvenient to the Military if it were occupied by private houses.

9. Should the Board decide upon the levy of Quit-rent under the explanation above submitted, I shall be prepared to submit a detailed Statement of all the houses in the Fort with their occupants.

Exd. J. Wright.

Ph. 539/62.

Note.

The Hawaiian territory was
excheated in 1839 for
William - and of course
all state property passed
to the British.

In 1842 the British
asserted their right to the
Hawaiian building in
the town of Honolulu - but
nevertheless ejected them in
possession nor exacted
any acknowledgment
of ownership. The books
most of which are still

Given in the Proceedings
of the 23rd of June to the
Hon. to Lord R. D. and
17 February 1852 at 11/11/11

Rev. 539/62

Letter from the Earl
of Devonport to the Earl
of Devonport dated 28th
of June 1852 at 11/30/1852
the Earl sent in 1852
occupied by private parties
in the fort.

Rev. 539/62
Rev. 539/62
Rev. 539/62

occupied by retainers
of the Nawab have been
treated as private pro-
perty - improved - trans-
ferred to

After 20 years of
inaction Govt cannot
know practically as-
sert the rights which
have so long lain dor-
mant -

The present Govt
submitted as whether
any right will should

be limited on the site
occupied by the buildings
in the Fort -
The Cdr & Bd
recommended 2 Rs per
acre a half and
yield 70 Rs an acre.
The buildings occupied
as huts & shops with
being in any way pos-
sible of the state are
to be exempted as similar
buildings are in the
Fort & elsewhere generally.
The sum to be

Land in the Karnool Fort

It seems to me best to do as the Collector & Board recommend. - The amount of improvement to be gained is small & of no importance (about Rs 70 only), but then a clear principle is followed & those parties who are held bound by sufferance, & others who have obtained ^{ground} ~~grants~~ under Govt grants are placed on an equal footing -

The holders by sufferance will doubtless benefit by the course proposed, & in all probability willingly assent to it, because their ground will greatly increase in value year by year, and they will ~~then~~ have a clear title instead of no title at all as at present. - For the Govt makes them proprietors when it levies an assessment from them & gives them the option of redemption.

An assessment of quit rent of Rs 2 per acre is very light for building ground within a town, but as the ground given as grants has been given away at this rate

- Care must be taken not to give away the ^{such as are required for public purposes} public lands alluded to by the Board. ~~and~~ should remain the property of Govt, & be kept available for the use of the general community.

- With regard to the ^{delapidated} rampart & ditch

Realised in so pretty that it seems hardly worth while to keep it. - There has been no fraud or evasion on the part of the people regarding the assertion of the right of the State - and I think Mr. May will waive their claims. In this case might be left if the high bidder -

If Mr. May waives its rights the bidder may be left to remove the debris of the Fort Wall by joining the contractors. Such portions as he may wish to buy over the contractors of the rubbish being removed, being sold as proposed by Mr. Munchin. The Fort is to be used for military purposes. I & S.

Submitting for consideration
 orders a letter of the Collector of the
 and recommending that he be authorized
 to levy a quit rent of Rs 2 per acre on the
 lands in the Kurnool District.

received 17 February 1862

The Government
 concur in the recom-
 mendation made by
 the Collector and the
 Board of Revenue
 for the treatment of
 the lands in the Kur-
 nool Dist, specified
 in the foregoing Pro-
 ceedings. The amount
 of assessment is small
 and of no importance,
 but a clear principle
 is followed, and
 parties who have, and
 have not, obtained
 ground under Govt
 grants, are placed on
 an equal footing.
 The imposition of
 a quit rent, moreover,
 benefits those persons
 as present holders
 by preference, inasmuch

I should recommend the Collector & District
 Engineer being instructed to throw the rampart
 into the ditch, after which the ground there joined
 could be sold by auction in lots as sites for
 houses. As far as I can judge the sanitary
 improvement of the town, would be most quickly &
 surely this way, and the outlay would be
 more than recovered.

6 March/62 The

Jagannath
 Muthiah Pillai

as it gives them a
clear title to what
at present they
have no title to at
all: for the Govt
makes them proprie-
tors when it levies
an assessment from
them, and gives them
the option of redemp-
tion.

The rate of quit-
rent proposed - viz.
2 lbs an acre. is very
light for building
ground within a
town. but as it ap-
pears from para 6
to be the same as usual
assessment, as it may
be so settled.

Care must be
taken not to give
away the public well
alluded to by the
Board in para 7.
Such of these as are
reserved for public

Purposes should re-
main the property of
Government and be
kept available for the
use of the general com-
munity.

With regard to the
dilapidated mud wall
fence and ditch the
Government are of opi-
nion that the best course
would be to throw the
former into the latter
after which the ground
thus gained could be
sold by auction in
lots as sites for houses,
for sanitary improve-
ment of the town and
be effected more
quickly and surely
than the
present would be more
than recovered. The
question as to the mode
of carrying out this
scheme will be consid-
ered in the Public
Works Department.

11-11-1871
The Chief Clerk of the
Public Works Department
with a copy of the
above letter to
the Hon. Secy of the
Colonial Office

Poll No. 16
11-10-42

" 22-23
6-12-42

Rev: 7-8
29-4-53

" 49-50
17-4-60

Revenue in Revenue
Dept

Revenue 1862 Dept
Pro: of Govt for April

No 754.

Pro: of the Madras Govt
Dy 4 April 1862.

Pro of P.M. Dept Dy
16 May 1862 C. No. 1498

Pro Board of Rev Dy
19 June 66 C. No. 1873.

Passing orders on
Board's Proceedings sub-
mitting letter from Kurnool
Collector proposing to levy
a quit rent of Rs 2 per
acre on the lands in the
Kurnool Fort.

1-80 + 81.