

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	723	Press
		Mis.
28.30	-	
Dated	4/4	1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
4th April 1865.*

Read the following papers :—

No. 28. From Lieutenant-Colonel F. H. SCOTT, Quarter Master General, to Colonel H. MARSHALL, Secretary to Government, Military Department, dated Head Quarters, Ootacamund, 25th October 1864, No. 450-9,736.

SIR,

1. Referring to Proceedings of Government, dated 1st July last, No. 2,267, I have the honor by order of His Excellency the Commander-in-Chief to forward an original letter* and enclosures from the Officer Commanding Malabar and Canara, in relation to Beebee's houses and ground at Cannanore.

2. The Brigadier-General has apparently exhausted every proof within his reach, and has afforded all the information he is able, to meet the wishes of Government; and if these fail of their end, the Commander-in-Chief fears that, as a Committee of Inquiry would have no authority, the present most inconvenient and unsatisfactory state of things must continue.

3. The Brigadier-General is however mistaken in paragraph 18 of his letter. The Map he refers to is forwarded herewith, together with a Map now in course of being finished in my office, containing the latest alterations as agreed upon by all parties.

4. It is not signed because it is unfinished, but it is requested that it may be returned as early as possible.

Transferred to the Revenue Department, with reference to the Order in that Department, No. 393, dated 8th March 1864.

FORT SAINT GEORGE,
2nd November 1864.

(Signed) R. HAMILTON, Lieut.-Colonel,
Under Secretary to Government.

Memorandum from the Quarter Master General, dated Head Quarters, Ootacamund, 9th November 1865, No. 507-10,217.

No. 29. From Brigadier-General D. BABINGTON, Commanding Malabar and Canara, to the Quarter Master General, Head Quarters, dated Cannanore, 31st October 1864, No. 353.

SIR,

1. I think it my public duty, with reference to former and late correspondence on the all-important point of the proprietary right asserted by Moplahs to spots of ground in this Cantonment, to take the occasion of having now before me Proceedings of Government and "Order thereon" No. 3,744, dated the 21st October 1864, indicating the probable purchase from a Moplah of such a spot of ground for a Commissariat Godown at a cost of 3,000 Rupees to Government, respectfully to submit to His Excellency the Commander-in-Chief my conviction, from two years' enquiry so far as I have had means, that any such outlay will be, in point of intrinsic fact, an unnecessary and undue one, involving a fraudulent obtaining of money from the State by the Moplah; because I believe it to be possible, by adequate investigation, to establish that all such buildings as that in the enclosure, whereof the proposed one in question may be additionally erected, were originally placed on ground *really* handed *freely* over by the then Beebee of Cannanore, to the British Government, precisely for such Military objects.

2. There can be no doubt, in point of fact, that, after such free cession by the Beebee to the British Government (about 1796) of *the whole site for this Cantonment*, Officers (as is commonly the practice in analogous cases elsewhere) induced Moplahs, many of them the capitalists of the place, to build Bungalows for them on ground, whereof the Officers obtained *Military* grants, on an agreement to rent them from them; and that, thus, in process of time, these people have advanced *their* claim to the ground as well as to the buildings; in many cases planting trees on the former, also, to the gradual *further* *vast* injury of the Cantonment; the next

*then - such assertions as
form*

Proceedings of the Madras Government, Revenue Department,
4th April 1865.

step having been, to take up their own personal position as foreigners, whose property is exempt from British rules.

3. It has not for a moment been *ever* advanced, or allowed, by Beebee or British Government, that in the cases of the various barracks, and all similar Military buildings, *erected ad libitum by the latter* until lately in the Cantonment made over by the Beebee *for that purpose*, each building spot was distinctly purchased by Government, as proposed in the instance I now seize in order to place the matter before His Excellency the Commander-in Chief, on what I am certain is its genuine footing, there being no earthly reason why the State should spend money now, in a manner ignored before, and I conscientiously believe undue.

BANGALORE, (Signed) A. SPENCER, Major-General,
5th November 1864. *Commanding Mysore Division.*

Forwarded to Government, with reference to Quarter Master General's letter, dated 25th ultimo, No. 450, transmitting papers from Brigadier-General Babington on the subject of Beebee's houses and land.

(By Order,) (Signed) F. H. SCOTT, Lieut.-Colonel,
Quarter Master General.

Transferred to the Revenue Department, in connection with former papers on the same subject transferred on the 2nd November 1864.

FORT SAINT GEORGE, (Signed) R. HAMILTON, Lieut.-Colonel,
14th November 1864. *Under Secretary to Government.*

No. 30. ORDER THEREON, 4th April 1865, No. 723.

Miscellaneous.

Revenue Department, 8th March 1864, No. 392.
Military do, 1st July " 2,267.

1. The Government do not see that any further orders are required in this matter beyond those already issued.

2. Brigadier-General Babington apparently overlooks the fact that as Government are not in possession, the *onus* of proving a better title than that of the parties in possession rests on them. Such assertions as form the staple of his letter are useless for this purpose unless the original grants can be produced to substantiate them.

3. The Indenture submitted by Brigadier-General Babington is not evidence against the holders of any land other than that described in it. The holder of this Deed should be required to conform to its conditions, unless he can shew cause to the contrary.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Board of Revenue.
,, the Military Department.

Erd. S. T. Augustin.

F.P.
P.B. 1st July 1864, No 1-2 put Sep.
P.B. No 2 August 1864. 138-89
8 March 69-71
31 July 1863 : 574576

Fort Saint George
2nd November 1864.

Transferred to the
Revenue Department with
reference to the order in that
Department No 398 dated
8th March 1864.

Mumtaz Ali
Under Secretary to Govt

Paper 328

W.H.
N^o 28
28 March 1864

Reg. 1864 Vets.
No. of the Govt. General
Department
From No 56977 No 2860.

The Quarter Master General
To
The Secretary to Government
Military Department

Dated Cochin 25th
Despatched 27th Refr.
Received 29th 12th Novem.

3-
Packet 1. 1st Dept.
2 Maps. 60
S.O. No 723. 4th Apr.

No 450
9736

Forwards correspondence
connected with the Beeber's
houses and ground at
Cannanore, with two
plans of the Station

Revenue Department
3rd No 723.
Proceedings of the Madras Government
under date the 12th March 1865.

Read the following
letters from the Quarter M.
General.

Forwarding corres-
pondence connected with
the Beeber's houses and ground
at Cannanore, with two plans
of the station.

(Mercuries 25th October
1864, No 450)
9736

Forwarding, with reference to his
letter of 25th Oct. No 450, letter from the
Officer Commanding Malabar & Cannanore, regarding
ground required for a Cemetery for down.

do 9th Nov 1864
The Govt do not

Reve Sept 16th 8th March 1864,
No 398-
Mily Sept 1st July " " 2267-

see that any further or-
ders are required in this
matter beyond those already
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MR
W.H.
JP

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Colonel Robinson
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have submitted by ^{for} ~~Colonel~~
Babington is not evidence
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to substantiate them.

107

4 To the O. & A. D. (O. & A. D. 1855)
7 & the Military Dept with encs. A

3/4/81
19.6.03V

44-65

Revenue 1865 Department
Pro: of the Govt for April
No 23.

Proceedings of the Madras Govt
D/4th April 1865

Despatch

A:28@30

Observing that no
further orders considered
necessary in the matter
of the Peasants lands in
Cannanore Cantonment.