

*Proceedings of the Madras Government, Revenue Department,
20th March 1871.*

Read the following papers :—

No. 278. Proceedings of the Board of Revenue, dated 4th April 1870, No. 2,256.
Read the following letter from Major H. J. T. NEILD, Acting Superintendent of Pensions, to the Secretary to Government, Military Department, Fort Saint George, dated 14th February 1870, No. 3,041.

I HAVE the honour to forward a letter from the Officer in charge of Pensioners at Chittoor, dated 10th February 1870, No. 240, with enclosures, relative to a claim made by certain pensioners for a piece of land at that station, which they state they had held possession of since 1843, and request the orders of Government thereon.

ENCLOSURE No. 1.

From Captain R. MAYNE, in charge of Chittoor Pensioners, to the Acting Superintendent of Pensions, Fort Saint George, dated Vellore, 10th February 1870, No. 240.

I HAVE the honour to pass up through you the enclosed documents,* and to request that you will be so good as to forward them, through the proper channel, for the information of Government.

* 1 Petition with Government endorsement and a letter from the Deputy-Assistant Quartermaster-General, Central Division.
1 Collector's endorsement.
1 Petition and a statement.

2. I consider that the petitioners have been most unfairly dealt with. They were given to understand, when serving in the old Veteran Detachment at Chittoor, that the ground which has been taken from them was their own, and they built houses, made gardens, etc.; and the Collector, considering that it was for the public benefit, has opened out the locality by making roads, etc., and the ground that they used for burial purpose, etc., has been taken from them, and no equivalent given to them.

3. The petitioners state, that should the Collector consider that it is prejudicial to public health to bury bodies in this ground, they will not do so, but they want the ground back again for cultivating purposes, as they state that it has been given to a Dresser in the Civil Dispensary at Chittoor, he paying rent for the same. Therefore if he gets the ground, why should not the petitioners have it for the same purpose, when they have held it so long?

ENCLOSURE No. 2.—Petition.

ENCLOSURE No. 3.—Endorsement on Petition.

ENCLOSURE No. 4.—Memorandum.

ENCLOSURE No. 5.—Petition.

REFERRED to the Revenue Department, together with Extract Minutes of Consultation, No. 3,217, 23rd July 1844, which bears on the subject.

FORT SAINT GEORGE,
22nd February 1870.

(Signed) J. MICHAEL, Major,
Officiating Deputy-Secretary to Government.

REFERRED to the Board of Revenue for early report. The Order of Government in the Military Department, No. 3,217, dated 23rd July 1844, was communicated to the Board with the Judicial Order, dated 10th August 1844, No. 499.

FORT SAINT GEORGE,
10th March 1870.

(Signed) R. A. DALYELL,
Acting Secretary to Government.

REFERRED to the Collector for full report.

*Proceedings of the Madras Government, Revenue Department,
20th March 1871.*

No. 278A. Proceedings of the Board of Revenue, dated 9th December 1870,
No. 7,024:—

Read the following letter from the Acting Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor, 26th October 1870, No. 473.

REFERRING to the Proceedings of the Board of Revenue, dated 4th April last, No. 2,256, I have the honour to submit the following report on the claim of certain Military Pensioners to a piece of land in Chittoor—

2. Petitioners' complaint reduces itself to three points:—

1st.—That the land adjacent to their Dasara shed was enclosed by one Kota Ramasami Chetty, thereby causing inconvenience to petitioners in the celebration of their annual feast at the shed.

2nd.—That a portion of land used in the town of Chittoor by petitioners as a burial ground was given away on Puttah to one G. Narrainasawmy Naidu, a stranger, and that they were ordered no longer to bury their dead in the remaining portion of the land.

3rd.—The complaint under this head is identical in its nature with the second, but it refers to a different piece of land.

3. The enclosed Sketch Plan will show clearly the different plots of land claimed by petitioners. The land marked A. on the plan is that on which the Dasara shed stands, and G., B., and F., are lands left vacant, and used by petitioners for the celebration of the feast. These four pieces of land form a portion of Field No. 481, measuring cawnies 14-3-0, formerly used as esplanade opposite to the Chittoor fort.

4. The chuttrum to the east of G. was, it appears, built about the beginning of 1868 on a piece of land close to the Anjonoyasawmy Pagoda; but after the building was erected, G. was given by the Assistant Collector Mr. Leo-Warner for the use of the chuttrum on the 9th July 1868, on the application of the owner of the chuttrum.

5. F. was likewise granted to the same individual on the 16th June 1868 by the Assistant Collector Mr. Tagg.

6. No reference it appears was made to the Collector with regard to these grants of lands, which were, in point of fact, gifts by the Assistant Collector to the builder of the choultry.

7. So far as these two lands are concerned, there are orders on record in support of their grant; but as regards B., there is nothing whatever on record to show that it was ever formally assigned to the owner of the chuttrum, who is said by the village officers to have obtained possession of it on a verbal order issued by Mr. Robinson to them about the year 1868.

8. How far this statement is true I am, of course, not in a position to say; but I do not believe, and it is not likely, that Mr. Robinson would have given away Government land on a mere verbal order without prior reference to the taluq officials.

9. It is not uncommon for village officers to plead verbal orders when they are called upon to account for their shortcomings, and it is very probable that the

*Proceedings of the Madras Government, Revenue Department,
20th March 1871.*

chuttrum owner, who is an extremely wealthy money-dealer, by the aid of his influence and position, induced the village officers to allow him quietly to take possession of the land in question.

10. The land being in close proximity to the Tahsildar's office, it is extremely unlikely that the encroachment thereon by Ramasawmy Chetty would have escaped the notice of the Tahsildar.

11. If therefore this grant of land had not the sanction of Mr. Robinson (and as I said above there is not a particle of evidence to show that it was so), the encroachment upon it must have been with the connivance and knowledge of the taluq and village officers.

12. The extent of this land is cawny 0-0-14, and I do not think that the petitioners have any real or legal claim to it. The mere fact of their having for a length of time used it once a year for the Dasara feast cannot of itself confer upon them an exclusive right to its occupation, and the Order* of 1844 does not unfortunately give the specification of the land, then granted by it, and now occupied by Ramasawmy Chetty.

* Government Order, No. 3,217, of 23rd July 1844, Military Department, embodied in the Proceedings of the Board of Revenue, dated 15th August 1844.

13. This land from its position in regard to the site of the old fort undoubtedly is a portion of that referred to in the above-quoted Government Order, as having been purchased for the hutting of the Native Detachment at Chittoor; but it is not certain, if it is still required for the purpose alleged by petitioners; at any rate, the chuttrum owner, as I have shown, has not the shadow of a right to it.

14. Petitioners' second and third grievances are, however, far more serious than the first. The lands claimed by them as burial grounds are marked C. and D. on the plan, and the Government Order above-quoted has no reference to them.

15. C. measures cawny 0-5-8 in extent. A portion of it, cawny 0-1-8, was given to a barber, by petitioners themselves, according to their own admission, some years ago. The barber is still in the enjoyment of the land, and a puttah for it was issued in his name in 1854, under what circumstances it is not clear. Considering, however, that petitioners have made no claim to that land until now, and the length of time for which the barber held it with their knowledge, I do not think that the land can now be taken from him *without his consent*. There are now on that land, seventeen fruitful cocoanut trees, eight young tamarind, and three other trees. It does not appear that this land was ever used as a burial ground, and there are no tombs upon it.

16. Petitioners assert that they originally employed the barber to water and to take care of the above-named trees planted by them, and that therefore puttah ought not to have been issued in his name.

17. This may possibly be the case, but I submit that petitioners by having omitted to take any action to challenge the issue of the puttah in the barber's name, have created such a right as cannot now be summarily set aside, or except by a regular action at law.

No. 278A. Proceedings of the Board of Revenue, dated 9th December 1870,
No. 7,024:—

Read the following letter from the Acting Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor, 26th October 1870, No. 473.

REFERRING to the Proceedings of the Board of Revenue, dated 4th April last, No. 2,256, I have the honour to submit the following report on the claim of certain Military Pensioners to a piece of land in Chittoor—

2. Petitioners' complaint reduces itself to three points:—

1st.—That the land adjacent to their Dasara shed was enclosed by one Kota Ramasami Chetty, thereby causing inconvenience to petitioners in the celebration of their annual feast at the shed.

2nd.—That a portion of land used in the town of Chittoor by petitioners as a burial ground was given away on Puttah to one G. Narrainasawmy Naidu, a stranger, and that they were ordered no longer to bury their dead in the remaining portion of the land.

3rd.—The complaint under this head is identical in its nature with the second, but it refers to a different piece of land.

3. The enclosed Sketch Plan will show clearly the different plots of land claimed by petitioners. The land marked A. on the plan is that on which the Dasara shed stands, and G., B., and F., are lands left vacant, and used by petitioners for the celebration of the feast. These four pieces of land form a portion of Field No. 481, measuring cawnies 14-3-0, formerly used as esplanade opposite to the Chittoor fort.

4. The chuttrum to the east of G. was, it appears, built about the beginning of 1868 on a piece of land close to the Anjonoyasawmy Pagoda; but after the building was erected, G. was given by the Assistant Collector Mr. Leo-Warner for the use of the chuttrum on the 9th July 1868, on the application of the owner of the chuttrum.

5. F. was likewise granted to the same individual on the 16th June 1868 by the Assistant Collector Mr. Tagg.

6. No reference it appears was made to the Collector with regard to these grants of lands, which were, in point of fact, gifts by the Assistant Collector to the builder of the choultry.

7. So far as these two lands are concerned, there are orders on record in support of their grant; but as regards B., there is nothing whatever on record to show that it was ever formally assigned to the owner of the chuttrum, who is said by the village officers to have obtained possession of it on a *verbal* order issued by Mr. Robinson to them about the year 1868.

8. How far this statement is true I am, of course, not in a position to say; but I do not believe, and it is not likely, that Mr. Robinson would have given away Government land on a mere *verbal* order without prior reference to the taluq officials.

9. It is not uncommon for village officers to plead verbal orders when they are called upon to account for their shortcomings, and it is very probable that the

chuttrum owner, who is an extremely wealthy money-dealer, by the aid of his influence and position, induced the village officers to allow him quietly to take possession of the land in question.

10. The land being in close proximity to the Tahsildar's office, it is extremely unlikely that the encroachment thereon by Ramasawmy Chetty would have escaped the notice of the Tahsildar.

11. If therefore this grant of land had not the sanction of Mr. Robinson (and as I said above there is not a particle of evidence to show that it was so), the encroachment upon it must have been with the connivance and knowledge of the taluq and village officers.

12. The extent of this land is cawny 10-0-14, and I do not think that the petitioners have any real or legal claim to it. The mere fact of their having for a length of time used it once a year for the Dasara feast cannot of itself confer upon them an exclusive right to its occupation, and the Order* of 1844 does not unfortunately give the specification of the land, then granted by it, and now occupied by Ramasawmy Chetty.

* Government Order, No. 3,217, of 23rd July 1844, Military Department, embodied in the Proceedings of the Board of Revenue, dated 15th August 1844.

13. This land from its position in regard to the site of the old fort undoubtedly is a portion of that referred to in the above-quoted Government Order, as having been *purchased* for the hutting of the Native Detachment at Chittoor; but it is not certain, if it is still required for the purpose alleged by petitioners; at any rate, the chuttrum owner, as I have shown, has not the shadow of a right to it.

14. Petitioners' second and third grievances are, however, far more serious than the first. The lands claimed by them as burial grounds are marked C. and D. on the plan, and the Government Order above-quoted has no reference to them.

15. C. measures cawny 0-5-8 in extent. A portion of it, cawny 0-1-8, was given to a barber, by petitioners themselves, according to their own admission, some years ago. The barber is still in the enjoyment of the land, and a puttah for it was issued in his name in 1854, under what circumstances it is not clear. Considering, however, that petitioners have made no claim to that land until now, and the length of time for which the barber held it with their knowledge, I do not think that the land can now be taken from him *without his consent*. There are now on that land, seventeen fruitful coconut trees, eight young tamarind, and three other trees. It does not appear that this land was ever used as a burial ground, and there are no tombs upon it.

16. Petitioners assert that they originally employed the barber to water and to take care of the above-named trees planted by them, and that therefore puttah ought not to have been issued in his name.

17. This may possibly be the case, but I submit that petitioners by having omitted to take any action to challenge the issue of the puttah in the barber's name, have created such a right as cannot now be summarily set aside, or except by a regular action at law.

18. As regards the remaining extent of cawny 0-4-0 in C. petitioners' claim is incontestable. That land was undoubtedly in their sole enjoyment for many years, and the existence of ten tombs and other signs of bodies having been burnt there is a clear proof that the land was regularly used by petitioners as a burial ground. There are about forty-two trees now on the land, and some of them valuable and productive. The produce of these trees is enjoyed at present by no one in particular, and the petitioners admit that they planted these for charitable purposes.

19. So again land marked D. on the plan was in their occupation for a very great length of time. Its extent is cawny 0-6-12. There are no tombs on it at present, although there is no doubt whatever that it was in the same way once used as a burial ground. The late Chittoor Monigar Narraina Reddi always had his eye upon this land, and from 1843 attempted more than once to take possession of it one way or another for cultivation, and was always prevented from so doing by the Revenue authorities at the instance of the petitioners.

20. The whole extent of the land marked C., D., and E., is about 1 cawny. In 1843 the above-named Monigar and certain others attempted to cultivate a portion of it, and were prevented by Mr. Binning, who, in his order to the Tahsildar, states that the land had been used as a burial ground from the days of the Nabob by the class of people to which petitioners belong.

21. Again in 1849 the same Monigar made a second attempt to usurp the land, and actually got a puttah for it. But on the representation of the Commanding Officer, Mr. Bourdillon, who was then Collector, punished the village officer by whose mis-representation the puttah had been issued, and directed the restoration of the land to the purposes for which it had been so long used.

22. The Monigar did not, however, stop here. He made a third attempt of the same kind, and in 1865 Mr. Banbury confirmed the orders issued in 1849 by Mr. Bourdillon, and personally rebuked the Monigar, who had then transferred his appointment to his son, by whom, it is to be observed, the land had been actually cultivated.

23. In 1866 Mr. Robinson, on a representation made by the Zillah Surgeon, issued an order, interdicting, on sanitary grounds, the burial or burning of dead bodies on the land now claimed by petitioners. About a year later, in April 1867, one Narrainasawmy Naidu of Chittoor presented a Darkhast for the land marked D.

24. The village officers, of whom the son of the Monigar Narraina Reddi was one, certified that the land had been used as a burial ground by the sepoys (petitioners), but that there was no objection to grant the land to the Darkhastdar.

25. The Tahsildar made a full report on the case, detailing all the previous correspondence, and Mr. Robinson, after personally inspecting the disputed land, ordered that a puttah should be issued for it from Fasli 1277 in the name of the Darkhastdar, who is the brother of the Dresser Venkatapathi Naidu, then attached to the Civil Dispensary, and now employed in the Jail at this station.

26. The land is now used as a Betel-garden, and has a well on it, constructed by the Darkhastdar. The Tahsildar estimates the cost of this well and of reclaiming the land at Rs. 35.

27. It may be objectionable in a sanitary point of view to burn dead bodies on this or the adjacent lands, but such objection cannot, I think, exist as regards the burial of bodies.

28. The land E. is, I find, still used for such purposes by certain butchers of the town, and it must be borne in mind that it is nearer to the village than the other pieces of land (C. or D.)

29. But, if it is considered that the land in dispute from its proximity to the river and the village should not be used as a place of interment, and if no objection exists to its cultivation, the land formerly set apart and used as a burial ground, I submit, should at least be given over to the petitioners, whose prior occupation for a very great length of time is not disputed.

30. Many of the petitioners have their ancestors or relatives buried there. The sight of a stranger cultivating and raising crops of betel or vegetables on such a piece of land, and from which they have been so summarily ousted, cannot fail to be in the highest degree hurtful to their feelings. In my opinion, the petitioners have been very badly treated; on one pretext or another the lands for so many years in their engagement have been gradually taken away, and, when we go into the matter, it must be admitted that the manner in which these changes have been carried out would not stand investigation in a Court of law, in the event of the petitioners seeking redress by a Civil action. I must not omit to add that another piece of ground, about $\frac{3}{4}$ mile from the town has been set apart for a burial ground for petitioners' use.

ENCLOSURE No. 1.—Petition to Captain R. Mayne.

ENCLOSURE No. 2.—Memorandum.

ENCLOSURE No. 3.—Collector's endorsement on Petition.

ENCLOSURE No. 4.—A Rough Sketch.

ENCLOSURE No. 5.—Petition.

SUBMITTED to Government with reference to Government Order, dated 10th March 1870.

2. Petitioners have evidently no claim to the plots marked B., F., and G., and as to "D." they should have opposed the grant of the land on puttah in 1867. The Board do not see how the grant of a puttah after the fullest inquiry so many years ago can be cancelled now.

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20th March 1871.*

No. 279.

ORDER THEREON, 20th March 1871, No. 495.

Miscellaneous.

THE question now before Government originated in a complaint made by certain Military Pensioners at Chittoor, firstly, that land south of the Chittoor river, granted to them under the orders of Government had been subsequently made over by the district officers for the support of a chuttrum; secondly, that their burial ground north of the river had been appropriated for other purposes.

2. The land south of the river claimed by the pensioners is divided by Mr. Whiteside into three plots, marked respectively in a plan submitted by him B., F., and G., all of which are now in the enjoyment of the owner of an adjacent chuttrum, which has no valid title to them. G. and F. were assigned to him irregularly by Messrs. Lee-Warner and Tagg, and B., according to his own statement, which, however, can hardly be accepted as true, was allotted to him by a verbal order of Mr. J. D. Robinson's.

3. Mr. Whiteside represents that the land comprised in these three plots forms part of the land which was originally granted by G. O., dated 23rd July 1844, No. 3,217, for the hutting of the Native Detachment at Chittoor; but if this were the case, the Chittoor pensioners would manifestly have no claim to the land other than by prescription. From a comparison of the map which was before the Government when the G. O. above referred to was passed with that now forwarded by the Acting Collector, the Government are inclined to think that the land now in dispute is identical with that which was allotted by G. O., dated 30th December 1844, No. 1,386, to certain Military Pensioners whose land, in accordance with the Order of July, had been occupied as hutting ground. The land thus allotted had previously been in the possession of a chuttrum, to which institution land bearing an equal assessment was made over in return. In this circumstance will probably be found the true solution of the dispute.

4. The unauthorized alienation of land by Messrs. Lee-Warner and Tagg and the verbal orders of Mr. Robinson clearly confer no valid title on the owner of the chuttrum. The plots B., F., and G., should, therefore, be resumed; and with respect to the claim of the pensioners, the Acting Collector should see that due effect is given to G. O., dated 30th December 1844, No. 1,386, either by the restoration to them of the land then granted to them, or by the grant to them of contiguous land of equal value.

5. The rest of the land forming the subject of petitioners' claim is situated north of the Chittoor river, and is divided into three plots shown on the plan as C. and D. Petitioners' title to this piece is derived from its prescriptive use by them as a burning or burial ground from a remote period. Cawnies 0-1-8 of C. were given over by petitioners to a barber some years ago, and a puttah was issued for it in his name in 1854. The Government concur with the Acting Collector in deeming it inadvisable that the existing possession of this portion should be disturbed. But the prescriptive right of the petitioners to the remaining portion of plot C. is unquestionable, and must be admitted and maintained. The same arguments would seem to apply to D.; but this plot was given out on puttah in

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1867 by Mr. J. D. Robinson, who is said to have personally inspected the ground, and, as appears from his endorsement of 25th November 1869, satisfied himself that petitioners had nothing to do with it. It is not asserted that petitioners had in any way improved this portion of the land. If injury has been caused to petitioners' feelings by the cultivation of land in which some of their relatives are now said to have been buried, it would only be very partially remedied by the restoration of the land; and as petitioners have been allotted a burial ground three-quarters of a mile from the town, the Government do not consider it necessary that the puttah for plot D. should be cancelled in the absence of any explanation from Mr. Robinson. He will be desired to address Government on the subject on his return from leave. Plot C., with the exception of the cawnies 0-1-8 relinquished by petitioners, should clearly continue in their enjoyment.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

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

Exd. F. R. Bantleman.

1840 93

From Captain A. Mayne

In charge of Station Prison

Valley

The City of London

Foot St. George

I have the honor to pass up
through you the enclosed Documents and
to request that you will be so good as to
forward them through the proper channel
for the information of Government

I consider that the Petitioners
have been most unfairly dealt with.
They were given to understand when being
in the old Prison that they would be taken
that the ground which has been taken
from them was their own and they built
houses made gardens &c and the Collector
considering that it was for the public
benefit has opened out the locality by
making roads &c and the grounds that

x 1 Petition with Court Endowment and a Petition
from the City of London to the King of Canada
1 Collector Endowment
1 Petition & a statement

they used for burial purposes & have been
taken from them and no equivalent
given to them

The Veterans state that should
the Collector consider that it is prejudicial
to public health to bury bodies in the
ground, they will not do so, but they
want the ground back again for
cultivating purposes, as they state that
it has been given to a Dispensary in the
Civil Dispensary at Canton he paying
rent for the same. Therefore if he
gets the ground why should not
the Veterans have it for the same purposes
when they have held it so long.

I have the honor to be,
Dear Sir,

Yours most Obedt. Servt.
Wm. W. [Signature]
Captain
In Charge of Canton Prison
Main Office
10 February 1870

Fort Saint George
Pension Office
14th February 1870

N^o 3041

From

Major H. J. T. Neitch
Ap. Superintendent of Pensions

Colonel Sir. A. T. Milne K. C. B. C. S. I.
Secretary to Government
Military Department

Sir,
I have the honor to forward a letter from the Officer in Charge of Pensioners at Chittoor dated 10th February 1870 N^o 240 with enclosures relative to a claim made by certain Pensioners to a piece of land at that station, which they state they had held possession of since 1843, and request the orders of Government thereon.

I have the honor to be,
Sir,
Your most Obedt. Servt.,
H. J. T. Neitch Major,
Ap. Supt. of Pensions.

Pensions 1870 240
N^o 3041
Rev. 559/70

Captain H. J. T. Neitch
Chittoor
14th Feb 1870

Letter N^o 240
N^o 3041

N^o 240

Chittoor
Pensioners
claim to land

M. J. T. Neitch
Chittoor

N^o 3041

No. 495

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 18th March 1871.

Read the following letter Proceedings

of the Board of Revenue.

Submitting report of collector on claim preferred by certain Military pensioners to a piece of land at Chittoor in North Arcot District.

(No. 9 of December 1870 No. 4025)

The question now before Govt. originated in a complaint made by certain military pensioners at Chittoor, firstly, that land south of the Chittoor river granted to them under the orders of Govt.

Handwritten initials and marks, including a large 'N' and 'R'.

Received 10th March 1871
Entered & returned 11th March 1871
Secretary

Referred to the Board of Revenue for early report. The price of spot in the Chittoor Department No. 3217 Dated 23rd July 1871 was communicated to the Board with the order dated 10th March 1871. The Board has been directed to report to the Govt. by the 10th March 1871.

Revenue
Dated 18th July 1871
From
The St. Andrew's School
to the Chittoor District
The Secy. to Govt.

One enclosed to the Secy. to Govt. from the Officer in charge of Chittoor with enclosure relative to a claim made by certain pensioners to a piece of land at Chittoor.

Referred to the Revenue Department for early report. The price of spot in the Chittoor Department No. 3217 Dated 23rd July 1871 was communicated to the Board with the order dated 10th March 1871. The Board has been directed to report to the Govt. by the 10th March 1871.

One enclosed to the Secy. to Govt. from the Officer in charge of Chittoor with enclosure relative to a claim made by certain pensioners to a piece of land at Chittoor.

Government had been subsequently made over by the District officers for the support of a chutrum; secondly, that their burial ground north of the river had been appropriated for other purposes.

2 The land south of the river claimed by the pensioners is divided by Mr. Whiteside into three plots, marked respectively in a plan submitted by him B, E and G, all of which are now in

173
the enjoyment of the owner of an adjacent chutrum which has no valid title to them. G & E were assigned to him irregularly by Messrs. Lee, Warner and Pagg, and B according to his own statement which, however, can hardly be accepted as true, was allotted to him by a verbal order of Mr. J. D. Robinson.

3 Mr. Whiteside represents that the land comprised in these three plots forms part of the land which was originally granted.

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July 1844, No. 3217 for the
hutting of the Native detach-
ment at Chittore, but if
this were the case, the
Chittore prisoners would ma-
nifestly have no claim to the
land other than by prescription.
From a comparison of the map
which was before the Govt. when
the G.O. above referred to was passed
with that now forwarded by the
Collector, the Govt. are inclined
to think that the land now
in dispute is identical with that
which

which was allotted by G.O.
dated 30 December 1844, No. 1586
to certain Military pensioners
whose land, in accordance
with the order of July had
been occupied as hutting
ground. The land thus
allotted had previously
been in the possession of
a chutrum, to which land
bearing an equal appointment
was made over in return.
In this circumstance will
probably be found the true
solution of the dispute.
4. The unauthorized
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the verbal orders of Mr. Robin-
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the Acting Collector should
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to G. O. dated 30 Decr
1844 of 1886 either by the
restoration to them of the
land then granted to
them, or by the grant to
them of contiguous lands
of equal value.
5. The rest of the land
forming the subject of
petitioners'

petitioners' claim is situated had
north of the Chittora river
and is divided into three plots
shown on the plan as C
and D. Petitioners' title to
this piece is derived from
its prescriptive use by them
as a burning or burial
ground from a remote
period. Caves 1-8 of
C were given over by peti-
tioners to a barber some
years ago and a pullah
was opened for it in his
name in 1854. The Govt. he
concur with the Ag. Collector
in deeming it inadvisable
to acquire the land as
that the existing possession a
claim of

of this portion should be
disturbed. But the pre-
spective rights of the
petitioners to the remaining
portion of plot C is never
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tained. The same argu-
ments would seem to apply
to D, but this plot was
given out on puthah in
1864 by Mr. J. D. Robinson
who is said to have per-
sonally inspected the
ground and as appears
from his endorsement of
25 November 1864, satisfied
himself

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himself that petitioners had
nothing to do with it. It
is not asserted that peti-
tioners had in any way
improved this portion of
the land. If injury
had been caused to peti-
tioners' feelings by the
cultivation of land in
which some of their relatives
are now said to have been
buried, it would only be
very partially remedied
by the restoration of the
land; and as petitioners
have been allotted a
burial ground $\frac{3}{4}$ of a
mile

mile from the town, the
Govt do not consider it
necessary that the purchase
for plot D should be
cancelled in the absence
of any explanation
from Mr. Robinson. He
will be desired to address
Govt on the subject on
his return from leave.
Plot C with the exception
of the pawns 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

14. To the Hon. Secy of War
Military Dept. Wash D.C.

1092
7/10

6/2/81 8/2/81

*Land in the
Area claimed by
certain Military
Pensioners.*

*Copy
to*

FORT SAINT GEORGE,
20th March 1871.

No. 280.

No. 496.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

Miscellaneous.

HOME DEPARTMENT:

Sir,—I am directed to forward, for submission to the Government of India, the accompanying statement of Charges, sanctioned by this Government in the Revenue Department, within the amount of the Budget grants, during the month of January 1871.

I have the honour to be,

Sir,

Your most obedient servant.

(Signed) W. HUDLESTON,
Secretary to Government.

Exd. F. R. Bantleman.

15/3