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*Proceedings of the Madras Government, Revenue Department,  
28th January 1873.*

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Read the following papers:—

No. 210. Proceedings of the Board of Revenue, dated 26th September 1872, Miscellaneous No. 6,525.

Read the following letter from the Collector of South Canara, to the Secretary to the Board of Revenue, dated Mangalore, 2nd September 1872, No. 1,103.

I HAVE the honour to request that the Board of Revenue will be pleased to obtain the sanction of Government for the compulsory acquisition of a piece of land situated on the southern bank of the Netravaty river at Mangalore, and required to be kept open for public purposes.

2. The Board may perhaps be aware that between the Mangalore backwater and the sea there is a long but narrow spit of sea-sand, which has been kept waste probably ever since its formation by the sea, although it is not incapable of growing trees. The policy of its having been so reserved is based on the interests of the navigation of the Port, for, if given out for cultivation, it would soon have been planted with trees, as the bit in question has been, and as the Badukode Island has been, and the cultivators would have thereby unconsciously prevented the sea-breeze from filling the sails of boats and vessels and enabling them thereby to sail to and from their moorings and moving about inside the Port and sailing up the river to the interior. Intervening trees would also be calculated to prevent ships outside the bar from communicating by signals with the flagstaff. They would also cut off the Custom-house from a knowledge of what the shipping in the roads were doing or wanting.

3. There has, however, been one single exception to this course. In Fasli 1268 (1858-59) one Hasane Beary succeeded in obtaining on Durkhast from an Assistant a small portion of this land at the southern extremity of the sand-spit, measuring acres 0-28-8, on an assessment of Rs. 3-6-0. The man, however, never made anything of the land, but resigned it in Fasli 1276, whereupon it was taken up by one Shikledar Shek Hussen in whose possession it now is. This individual has fenced in the ground (encroaching also upon a portion of the adjoining waste), and has laid out some money in digging three wells, and has put down a considerable number of cocoanut and other plants which must grow up and soon obstruct the breeze as above stated, and it is natural to expect that he will watch for an opportunity of again encroaching on the surrounding waste.

4. This land is also in the line of breeze required by boats sailing to Buntwal from Mangalore. Much merchandize and salt goes by this route. It is also close to the point at which it is expected that the river will again break out a mouth as of old. It being very desirable in the interests of the Port that the land should be resumed from its occupant, and allowed to remain waste as heretofore, I endeavoured to do this by giving him the option of either accepting an adequate and reasonable sum as compensation, or land of the same description, and larger in extent, if necessary, elsewhere, but the man declines to part with his holding on any terms.

5. Under these circumstances I see no alternative but to set the "Land Acquisition Act" in motion against him, and request accordingly that I may be authorized to make the required declaration under Section 6 of the Act, so as to enable me to take possession of the land as soon as practicable.

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*Proceedings of the Madras Government, Revenue Department,  
28th January 1873.*

6. I beg to add that the compensation payable for the land is not likely to exceed a sum of Rupees 150 or thereabouts, and may well be disbursed from the "Port Funds" of this district.

THE Collector should comply with Circular Order No. XXIV. of 1869.

No. 211. Proceedings of the Board of Revenue, dated 3rd December 1872, Miscellaneous No. 8,000.

Read again letter from the Collector of South Canara dated 2nd September 1872, No. 1,103, recorded in Board's Proceedings dated 26th September 1872, Miscellaneous No. 6,525.

Read also the following letter from the Collector of South Canara, to the Secretary to the Board of Revenue, dated Subramanya, 5th November 1872, No. 1,360.

WITH reference to the Board's Miscellaneous Proceedings dated the 26th September last, No. 6,525, I have the honour to submit herewith translation of a written statement taken by the Tahsildar of Mangalore from the owner of the land therein alluded to on the 9th May 1872.

SUBMITTED for the orders of Government.

2. The Collector of South Canara states that there is a strip of sand between the Mangalore backwater and the sea which must be kept bare of trees in order that the sea-breeze may be felt by boats and ships sailing into and out of the Port.

3. A small portion of this spit, acres 0-28-8, assessed at Rs. 3-6-0, has got into the possession of a private individual who has planted it. He refuses to give it up because he expects not to get adequate compensation.

4. The Board recommend Government to declare the land needed for a public purpose under Section 6, Act X. of 1870.

No. 212. Proceedings of the Board of Revenue, dated 19th December 1872, Miscellaneous No. 8,444.

Read official memorandum from the Secretary to Government, Revenue Department, dated 10th December 1872, No. 117.

ABSTRACT.—Calling for draft of requisite Notification in view to acquisition of certain land in South Canara District under Land Acquisition Act X. of 1870.

ORDERED that the following draft Notification be submitted to Government:—

DRAFT NOTIFICATION.

UNDER the provisions of Section 6, Act X. of 1870, the Right Honourable the Governor in Council of Fort St. George hereby declares that all that piece of land at the southern extremity of the strip of land between the backwater and the sea at Mangalore in the district of South Canara, containing Acres 0, G. 28, A. 8,

*Proceedings of the Madras Government, Revenue Department,  
28th January 1873.*

be the same a little more or less, and now in the occupation of Shikledar Shek Hussen, is required for a public purpose, namely, to prevent obstruction to the navigation of the Port and backwater of Mangalore.

No. 213. ORDER THEREON, 28th January 1873, No. 106.

Miscellaneous.

ORDERED that the following Notification be published, and that the Collector be authorized to take the neces-

sary steps for the acquisition of the land:—

NOTIFICATION.

UNDER the provisions of Section 6, Act X. of 1870, the Right Honourable the Governor in Council of Fort St. George hereby declares that all that piece of land at the southern extremity of the strip of land between the backwater and the sea at Mangalore in the district of South Canara, containing Acres 0, G. 28, A. 8, be the same a little more or less, and now in the occupation of Shikledar Shek Hussen, is required for a public purpose, namely, to prevent obstruction to the navigation of the Port and backwater of Mangalore.

(True Extract.)

(Signed) D. F. CARMICHAEL,

Secretary to Government.

To the Board of Revenue.

„ the Superintendent Government Press.

Ed. F. R. Bantleman.

Statement of Shikildar Shaikhasan Sahib, residing in Mangalore, taken by the Tahsildar of Mangalore on the 9<sup>th</sup> May 1872.

The ground, Duli No 254 of Ullal Kasba Village registered in the name of Haseen beary, and paying a Berig of Rupus 3. 6. and situated near the Government garden at Ullal was in Insly 1268, registered as a Hospagame Wurg. After the said Wurgdar had filed a Razinama relinquishing the land, I obtained the same on Durkast from Government in Insly 1279, and have since then been paying the assessment and cultivating it, and thus enjoying it. I do not however now receive any rent or get any produce from the land. When I took possession of the said land, it was not cultivated nor enclosed by a hedge, but was a mere sandy waste. I fenced it in; having procured bamboo shoots for the purpose from a distance, sunk 3 wells, erected 3 huts, and planted about 116. Coconut plants, 4 jack plants, 5 teak plants, 40 cashew plants and 100 Honne plants, and also procured mud from a distance and had it put round the foot of Coconut trees and thus brought the land under cultivation. In the eager hope of getting a large produce, after the plants came into bearing, I laid out nearly 600 Rupus, and brought the land under cultivation, as above stated. I have kept no accounts of the above expenditure. A sum of Rupus 30 which I paid as compensation to the owner of a boat which broke while mud was being

brought in it, and similar other expenses are included in the said amount of Rs 600.

Although from the appearance of the ground people will not think that so large an amount has been laid out on it, I am of opinion that any one would buy the ground with the cultivation for Rs 400. The said cultivation was effected by me only after I got the land on Durkash, but not without orders. If I were to give up the said land which I cultivated at some cost and labour, I would be a great loser, and I am not therefore willing to do so. This is all that I have to state.

I have heard the Paimash list enclosed in the report of the Shambhogue and Potal read over to me. It is true, as stated therein, that the present extent of the land of the said Warg exceeds the former extent by grounds 8. 11. 8, but I have put down no plants whatever in the portion which forms the said excess.

With a view to prevent the plants planted in the Warg land being destroyed by cattle, I included in it the portion which forms the excess, and put up a hedge all round outside the limits of the land. If this portion which is in excess cannot be granted on a permanent, I am willing to give it up. I beg to state that I am unable to give up the Warg land on which assessment has been fixed.

I have heard the

Statement read over to me and it is correct.

(True Translation.)

K. Kumar.

Collector.

Camp J.

Read the following:  
Miscellaneous No 6525. Revenue Department.  
Proceedings of the Board of Revenue.  
dated 26 September 1872.

Read the following:—

*A. 1103.*

Novi.

From  
A. S. Thomas Esq  
Master of South Canara.

J. Grose Esquire

Secretary to the Board of Revenue  
Madras.

I have the honor to request that the Board of Revenue will be pleased to obtain the sanction of Government for the Compulsory acquisition of a piece of land situated on the Southern bank of the Akshaya River at Mangalore, and requires to be kept open for public purposes.

2. The Board may perhaps be aware, that between the Mangalore backwaters and the Sea, there is a long but narrow Spit of Sea-Sand, which has been kept nearly probably ever since its formation by the Sea, although it is not incapable of

Enclosure 1

In a letter from the collector  
of South Carolina to the  
Secretary to the Board of  
Revenue, Charleston, dated  
5<sup>th</sup> November 1892.

Ms. A. 9. 2. 60

Pen: h:  $\frac{2}{20150152}$

statement of Shikhar  
Gochhayatan, residing in  
Changstone, taken by the  
Sardars of Changstone  
on the 7<sup>th</sup> Aug 1892.

Aug 11/72

of growing trees. The policy of its having  
been so reserved is based on the interests  
of the navigation of the Port, for, if given  
out for cultivation, it would soon have  
been planted with trees, as the bill in  
question has been, and as the Sadakade  
Islands has been, and the cultivators would  
have thereby unconsciously prevented the  
sea-breeze from filling the sails of boats  
and vessels, and enabling them thereby  
to sail to and from their moorings, and  
moving about inside the Port, and sailing  
up the river to the interior. Interposing  
trees would also be calculated to prevent  
ships outside the bar from communi-  
cating by signals with the flagstaffs.  
They would also cut off the Custom-house  
from a knowledge of what the shipping  
in the roads were doing, or wanting.

3 There has, however, been one single  
exception to this course. In 1268<sup>1268</sup><sub>1857/59</sub> one  
Hassane Dary succeeded in obtaining  
on District from an Assistant,  
a small portion of this land at the  
Southern extremity of the Sand Spit, measuring  
Acres  $18-8$ , on an assessment of  
Rupers

Rupers 3-6-<sup>1268</sup> The man, however, never made  
anything of the land, but resigned it in 1270  
whereupon it was taken up by one  
Shekledar Shek Hussien in whose  
possession it now is. This individual  
has fenced in the ground (encroaching also  
upon a portion of the adjoining waste), and  
has laid out some money in digging wells,  
and has put down a considerable number  
of Coconut, and other plants, which must  
grow up and soon obstruct the breeze and  
abandon states, and it is natural to  
expect that he will watch for an  
opportunity of again encroaching on the  
surrounding waste.

4 This land is also in the line of breeze  
required by boats sailing to Buntwal  
from Mangalore. Much merchandise  
and salt goes by this route. It is also  
close to the point at which it is expected  
that the river will again break out a  
mouth as of old. It being very desirable  
in the interests of the port, that the land  
should be resumed from its occupant,  
and allowed to remain waste, as heretofore,  
I endeavoured to do this, by giving him  
the

the option of either accepting an adequate and reasonable sum as Compensation, or land of the same description, and larger in extent if necessary elsewhere, but the man declines to part with his holding on any terms.

5. Under these circumstances, I see no alternative, but to set the "Land Requisition Act" in motion against him, and request, accordingly, that I may be authorized to make the required declaration under Section 6 of the Act, so as to enable me to take possession of the land, as soon as practicable.

6. I beg to add that the Compensation payable for the land is not likely to exceed a sum of Rs. 150, or thereabouts, and may well be disbursed from the "Port Fund" of this District.

South Canara  
Collector's Office }  
Mangalore }  
2<sup>nd</sup> September 1872 }  
H. S. Thomas  
Collector

The Collector should comply with

with Circular order xxiv of 1869.  
(True copy attached)  
D. / J. Grose  
Secretary  
The Collector of South Canara.  
(True copy)

J. Grose  
Secretary

*[Signature]*  
C. S. D. M. V. N. G. S. M.

Miscellaneous No. 8000

Revenue Department.

Proceedings of the Board of Revenue.  
dated 3<sup>rd</sup> December 1872.

Read again letter from the Collector  
of South Canara, dated 2<sup>nd</sup> September  
1872. It was recorded in Board's  
Proceedings, dated 26<sup>th</sup> September 1872  
Miscellaneous No. 6525.

Read also the following:-  
No. 1360.

From.

H. S. Thomas Esquire  
Collector of South Canara

J. Gorse Esquire  
Secretary to the Board of Revenue

Sir,  
With reference to the Board's  
Miscellaneous Proceedings dated  
the 26<sup>th</sup> September last No. 6525, I  
have the honor to submit herewith  
translation of a written statement  
taken by the Subildar of Mangalore  
from the owner of the land therein  
alluded to on the 9<sup>th</sup> May 1872.

Collector's Office on Circuit }  
Camp Subramanyam. 5<sup>th</sup> Nov. 1872 } I have to  
(Sd) H. S. Thomas  
Collector  
Submitted

Enclosure in forwarding  
the Board of Revenue  
No. 1360 dated 3<sup>rd</sup> December 1872  
to No. 8000 & the  
Secretary to Government  
C.D.

Revenue No.  $\frac{1}{384797/72}$

Copy of Board's  
Proceedings, dated  
26<sup>th</sup> September 1872 No.  
No. 6525.

Submitted for the orders of  
Government.

The collector of South Canara  
states that there is a strip of  
land between the Mangalore  
Backwater and the Sea which  
must be kept bare of trees in order  
that the sea breeze may be felt  
by boats and ships sailing into and  
out of the port.

A small portion of this spit,  
Acre 0-28-8 assessed at Rs. 3-6-0  
has got into the possession of a private  
individual who has planted it. He  
refuses to give it up because he  
expects not to get adequate compensation.

The Board recommended Government  
to declare the land needed for a public  
purpose under Section II Act X of 1870.

(True Extract)

Prole  
Secretary

The Secretary to Government

Revenue Department

with Copy of Board's Proceedings

Miscellaneous No 6525 of 1872

and a statement.

*[Signature]*

Cy. D. V. May 1872

Received 18/5/1872

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*[Faint handwritten notes]*

1872

Revenue

8000

8/4/72

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to

for

Revenue Department  
#106.

Proceedings of the Madras Government  
Under date the 28<sup>th</sup> January 1872.

Read the following Res.  
of the Board of Revenue.

Recommending Govt.  
to declare certain land  
between Mangalore backwater  
and the Sea to be required  
for a public purpose under  
Act X of 1870.

(H.E. 3<sup>rd</sup> Decr 1872 Min. No. 8000)

Submitting to Govt. Draft  
Notification in view to acquisition  
of certain land in South  
Canara Dist. under Land  
Acquisition Act X of 1870.

(H.E. 19<sup>th</sup> Decr 1872 Min. No. 8464)

Ordered that the  
following Notification  
be published, and  
that the Collector be  
authorized to take  
the necessary steps for  
the acquisition of  
the

*[Signature]*

Revenue 1872 D.K.A.

No 3847

Proceedings of the  
Board of Revenue

Date 3<sup>rd</sup> December 1872

Resoln. 3 — — —  
Resoln. 4: — — —  
enr.

Recommending Govt.  
to declare certain land  
between Mangalore back-  
water & the sea to be  
required for a public  
purpose under Act X  
of 1870.

Ms 210-213

S.O. No. 1722/80

S.O. No. 106-28 Aug. 73

S.O. No. 1722/80

S. G. No. 106 - 28 Jan. 73

the land.

Notification

Under the provisions  
of Section 6 Act X of 1870,  
the Right Honorable the  
Governor in Council of  
Fort Saint George hereby  
declares that all that  
piece of land at the  
Southern extremity of the  
strip of land between the  
backwater and the sea, at  
Mangalore in the district  
of South Canara, contain-  
ing Acres 0-28-<sup>a</sup> 8, be the  
same a little more or less,  
and now in the occupation  
of Shikles Shet Apon,  
is required for a public  
purpose, namely to prevent  
obstruction

10  
obstruction  
to the navigation of the port  
and backwater of Mangalore

11. Board of Revenue Des 29 Jan'y/73  
1 Sup<sup>to</sup> of the Govt Pres.

S. G. No. 106