

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 718 L

DATED 11th April 1896.

[Despatch Abstract.]

Petition.

Forwarding with remark, to the District Board Nilgiris
the ----- from Mr. Rhodes James praying that the loss sustained by
him by the temporary removal of the Benhope toll-gate may be re-
imbursed.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

C no 404 d

Do 5-3-96

My dear Romilly.

In reply to your letter of the 6th ult., submitting a petition from Mr. Edwards Jones to H.S. the Gov. in Council, I am directed to inform you that according to rule no. 12 of the Petition Rules (C) the Gov. can only receive petitions from principals, & to return the petition with the remark that it should be resubmitted by the petitioner himself.

Yours sincerely

LD

3/3/96

(from notes)

W.D.

2. iii. 96

To The Honble Mr. Romilly,
with petition returned.

Supd 5/3/96

copy sent
W.D.

Petition submitted by Mr. Donnelly

404 L

Tom O'Donnell

C.S.

Mappadi

6 Feb. 1896



The Chief Secretary to Govt.

404 L

Sir

At the request of Mr. Rhodes James I have the honor to submit for the consideration of His Excellency the Governor in Council a petition on the subject of the toll gate at the entrance of Benhope Estate and I venture to hope that Mr. Rhodes James may be granted redress.

I have the honor to be

Sir

Yours obediently

George Donnelly

RECEIVED

LOCAL AND MUNICIPAL DEPARTMENT.

Local & Municipal Dept.

CURRENT No.

4042

From

Mr. George Ronilly

Received of
DO 8/8/96

No.

Dated 6/2

Received 10/2.

Enclosures 1.

SUBJECT.

Subject: petition from
Mr. Rhodes James re: the
Benhope Toll-gate

(1) H.M.

(2) H.G. the Governor

CP
Order

The Government will
receive petitions only from prin-
cipals.

1/2
21/2/96
18.11.96

Before viewing the above it seems
desirable that orders should be
taken. The petition is forwarded
by an Hon. Member of the Leg.
Council, who is apparently re-
garded by the Masters as their
representative. Of course the
doctrine of representation in the English
sense is not admitted ^{here}, altho
certain principles of selection are
shown.

The Petition Rules do not allow of
petitions except from Principals, &
it is understood, be adhered to. If
Leg. members generally were accepted
as ~~new~~ channels of transmission
(The Honble Mr. G. Ronilly)

it would lead to most undesirable
results.

I submit the case however so
that the position may be recognized
and the approval of Govt. given to
the course suggested 21/11/96

(with order)

To

His Excellency The Right Honourable

BEILBY BARON WENLOCK, G.C.S.I., G.C.I.E.,

Governor of Madras in Council.

THE PETITION OF W. RHODES JAMES.

HUMBLY SHOWETH,

That in the month of June 1893 the "Benhope" Toll-gate on the Coonoor-Mettapollium Ghat was moved temporarily from its normal position near the top of "Benhope" Estate down some two miles to the bottom of that Estate; the Gate has not yet, two-and-a-half years later, been replaced in its proper site, but it shortly will be I am informed. The removal was ordered solely on account of the dangerous character of the Railway work above the road where the Gate was situated.

All the supplies of every description required for Benhope Estate are brought up from Mettapollium, not down from Coonoor; hence the result of this removal of the Gate has been to impose upon every cart entering Benhope an extra payment for toll (in addition to those paid at Mettapollium and Burliar) just as the cart enters the Estate.

The District Board, recognising that a private individual should not be made to suffer loss from the above temporary removal of the Toll-gate, did, by its Resolutions dated July 12, 1893, No. 20, and April 26, 1895, No. 6, exempt all carts coming into Benhope Estate from the Mettapollium side from payment of this third exceptional toll.

Your Petitioner has been informed by the Collector that Government has cancelled the above Resolutions on the ground of their being in excess of the powers conferred upon the Board by law; and, further, that the question cannot be re-opened by the Board.

Under these circumstances the only recourse available to Your Petitioner is to beg Your Excellency in Council to kindly consider the loss incurred, which now stands between three and four hundred rupees (for which there are vouchers), and to adopt such mode of reimbursement as may seem fit

And Your Petitioner will ever pray.

W. RHODES JAMES.

Dated at Coonoor,

January 1896.

March



29/3/96 Coonoor Mar. 26. 96
The Honble Mr. J. A. Pice. C.S.J.
Chief Secy to Government
Madras.

Sir: I now have the honor to
re-submit my Petition to the
Secretary the Governor in Council
and to say that the delay in doing
this is due to prolonged absence
from home.

I have the honor to be
Sir
Your obedient servant.
MR Rhodes Pauls.

1/404 4/96

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Local Municipal Dept.
 No. 4042

From

Mr. Rhodes James.

No.

Dated 2/4/5

Received 30/3.

Enclosures

SUBJECT.

Subj: his petn to H-E the
 Gov. praying that the
 loss sustained by him
 by the temporary removal
 of the Newhope toll gate
 may be reimbursed

(For order)

Mr. W. Rhies

For order

Please see G.O. No. 1580 L
 dated 2nd September 1895 and
 the note therein by the C.S.

When the toll gate was originally
 moved, it was stated to be only
 temporarily. It is now nearly
 3 years since the move was
 sanctioned, it appears to be hard on
 Mr. Rhodes James that he should have to
 pay this extra toll. In para. 2. of
 the above f.o. the St. Bd. was
 informed that they might compound
 with Mr. James, was it wished to
 exempt him from toll altogether, then
 it might have settled the question by
 demanding only a nominal composition.
 This apparently has not been done.
 The petn may be sent to the St. Bd.
 that body asked why no action was
 taken on para 2 of the former f.o. Nothing
 else apparently could be done for the petn.

W.D.S.
 4-4-96 H.E.

There will always be hard cases;
 and Mr. James cannot be relieved
 by the law or by Govt: but as Mr
 Phillips suggests we may forward
 the Memorial to the St. Bd. with
 the for consd: calling their attention
 to para 2 of G.O. 2/9/95, + suggesting
 that in the petn's hard case the St.
 may be disposed to compound with
 him on easy terms. S.D. 7/4/6

Order No. 718 Lunsd 11-4-96

The petition will be forwarded to
 the St. Board, Kilgus, for con-
 sideration, their attention invited to

para. 2 of f.o. No 1580 L & 2.9.95
 If the Board should ^{report} his
 case as deserving of consideration
 it is open to them to compound
 with him on such terms
 as they may deem suitable

To Sec. St. Bd. Kilgus
 To Division
 Dated 22/4/96

Petition from Mr. A. James regarding
loss sustained by him by the temporary
removal of the Benhope College. -
Wilgin St.

From
FOR ORDERS.

4042

7682

Q

mul

When given for copying
When copied
When examined
When signed

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

A A A A A A A

N.B. -

A = Copy in full.
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Q = Copy heading only.