

## MADRAS RECORD OFFICE.

Government of Madras.

*Revenue* DEPARTMENT.

|          |          |                          |
|----------|----------|--------------------------|
| G.O. No. | 197      | Press<br><del>Mis.</del> |
| Dated    | 23 - 1 - | 1868.                    |

Not to be folded or roughly handled

No. 395. Read the following letter from the Officiating Conservator of Forests, to the Secretary to Government, Revenue Department, Fort St. George, dated Camp at Ootacamund, 20th December 1867, No. 437 :—

1. Referring to the Government Order, No. 2,517, of the 25th of October last, I have the honor to forward a letter from Mr. Lowry.

2. Mr. Lowry states that he is willing to undertake the formation of roads towards the higher ranges of the Annamallays and timber felling operations, on a salary of Rupees 500 a month, to be raised after one year to 600 Rupees. In the event of his giving up all claim to the forests, he claims compensation as follows :—

|                                                                                 | RS.    |
|---------------------------------------------------------------------------------|--------|
| 1. Cost of tracing and constructing road up to date ...                         | 7,500  |
| 2. Superintendence, salary for self for 12 months at Rupees 500 ...             | 6,000  |
| 3. Cost of felling and cutting up 10,000 tons of timber at Rupees 3 per ton ... | 3,000  |
| 4. Plant ...                                                                    | 2,000  |
| 5. Buildings ...                                                                | 1,000  |
| 6. Compensation for loss of time, interest, and loss of profit ...              | 5,000  |
|                                                                                 | 24,500 |

Items Nos. 2 and 6 are excessive. I cannot give an opinion of the value of the work done in tracing the ghaut road (Item No. 1), but when lately up the slopes, the ghaut trace was so overgrown as to be quite invisible; a good deal of blasting has been done near the top of the ghaut, but none, I believe, on the lower five miles. In the event of Government taking over the road, I conclude that the Engineer's department will inspect and report upon the value of the work performed. Item No. 3 is reasonable, but it would not pay to bring down the timber until the ghaut road is finished; if this is done, and a cart road made from the foot of the ghaut to Cotoor (the present tract is impassable for laden bandies), it could be brought to Coimbatore at a very small profit. I do not know what is included in Items Nos. 4 and 5.

3. Mr. Lowry is an Engineer, and was for a long time in the Department Public Works. If Government are desirous of making a road towards the higher ranges, his services are available for this work, and he is inured to the climate; if this road was extended on beyond the Ponachy valley, a very fine valley situated between the Pachepal-mallay and Akka ridges could be opened out; this contains much fine shola forest land, well adapted for coffee, and much more sheltered than the land now being opened above the Ponachy water-fall. On the higher ranges there is an immense extent of land available for Tea and Chinchona, and a road all the way up is well worth the consideration of Government.

4. Communications as far as the Ponachy valley can hardly be completed within a year, and it would be useless to commence any timber operations until there are roads; the timber which has been already felled by Mr. Lowry, and which remains above ghaut, should be carefully stored and preserved from fire; the Coimbatore market is well supplied with Teak and Blackwood just at present, the Anna-

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23rd January 1868.*

mallays and the Sholakarry forests being more than equal to the demand, and able to supply it cheaper, so that it will not, I think, be expedient to work these forests to any greater extent than bringing out the ripe trees and the fallen timber, which was the object I had in view when I gave Mr. Lowry his contract.

5. Mr. Lowry's sanguine estimate of the value of these forests is quite at variance with the estimates of Dr. Cleghorn and myself.

6. It will never pay to bring down the Vengay or other jungle timbers as long as the market is as distant as it now is. Mr. Lowry is wrong in supposing that I ever even verbally agreed to give him the Vengay; when he applied for the Teak and Blackwood he informed me that he did not think any jungle timbers would pay the carriage to market.

7. Mr. Lowry is quite correct in observing that he was the pioneer of this portion of the Annamallays.

No. 396. ORDER THEREON, 23rd January 1868, No. 197.

Forests, No. 16.

1. It appears to Government that Mr. Lowry somewhat misapprehends the position of affairs.

2. In 1865 he obtained a lease of certain forests on the Annamallays on certain conditions, including that of *personal supervision*, and also the grant of the land through which to make a road from his estate on those hills to the low country, with permission to put a toll on it, Government expressly reserving to themselves "the right to assume possession, control and management of the road at any time" "at their option, paying to Mr. Lowry the cost of construction."

3. In June of last year Mr. Lowry "not having funds to carry out his proposed operations," addressed Dr. Cleghorn on the subject of a projected Annamallay Timber Company to be established on the basis of his lease, but the Government declined to relax the special condition of personal supervision on which the lease was granted, and which is manifestly not compatible with the establishment of a Company.

4. Presuming, however, that Mr. Lowry's object was to obtain the means of completing the road to his estate, the Government offered to exercise their option of taking over the road, in view to its completion to the head of the ghaut, provided that Mr. Lowry would relinquish his lease of the timber, and they at the same time authorized the Conservator of Forests to bring forward his proposals for working the forests on account of Government if Mr. Lowry resigned his lease, and employing Mr. Lowry in the department as he had suggested.

5. Captain Beddome now states that Mr. Lowry is willing to take service under Government for employment on the formation of the road and timber operations, on a salary of Rupees 500 monthly, to be raised to Rupees 600 after one year, but he adds that it would be useless to commence any timber operations till the road is made.

6. He also forwards a letter from Mr. Lowry, asking Rupees 13,500 as the cost of the road-work done, including payment for his own services, and a total further sum of Rupees 11,000 as the cost of felling certain timber now in the forests, the value of certain plant and buildings, and compensation for loss of time, interest

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and loss of profit, the payment being claimed in consideration of his relinquishing the lease.

7. The claim on account of the road-work may be perfectly reasonable; but the Government cannot decide upon it without first obtaining the opinion of the Superintending Engineer after he has personally inspected the work done, which he will be instructed to do so soon as the Government receive a definite acceptance by Mr. Lowry of the terms offered.

8. The claim to compensation for relinquishing a lease which Mr. Lowry stated he had not funds to work, and in consideration of his relinquishing which the Government proposed to take over the road, re-paying him the cost, and to complete it to the head of the ghaut above which his estate is situated, appears to Government to be somewhat unreasonable; but in consideration of the value of the timber felled, they are willing to pay him Rupees 5,000 on the cancelment of his lease, the timber in question becoming the property of Government.

9. Captain Beddome will communicate this offer to Mr. Lowry, and forward his reply to Government.

10. The question of Mr. Lowry's employment, whether on the road or in working the forest for Government, must rest with the Superintending Engineer or the Forest Conservator. It is not a matter in which Government can intervene.

(True Extract.)

(Signed) W. HUDLESTON,

Secretary to Government.

To the Officiating Conservator of Forests.  
,, the Superintending Engineer, 7th Division.  
,, the Board of Revenue.  
,, the Public Works Department.

Exd. S. T. Augustin.

Letter from  
Applicant of Ind. Co.  
of 20 Dec 1885  
from one from Mr.  
Lowry.

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Answered.

In order.

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Mr. Lowry, claims  
I misapprehend the  
position of matters.

Inf. O. of 15 Sept 85.  
the Govt. consented to  
give the land for the  
construction of the road  
by Mr. Lowry. Resolving  
to themselves expressly  
the power to remove  
"possession control  
"management of the  
"road at any time  
"at their option - paying  
"to Mr. L. the cost of  
"construction"

In this order of 25<sup>th</sup>  
Oct 85. they state that  
they will be prepared

Exercise the option in  
 view to the completion  
 of the road. if he <sup>should</sup> like  
 relinquish his lease of  
 the timber.

W. Lowry now asks

For cost of having & constructing  
 road up to date ———— \$7500

Salary of himself as Supt. for  
 12 months at \$500 ———— 6000

Making the cost of the road — \$13500. up  
 to date.

This may be reasonable  
 but the Supt. Genl. S. of course  
 be called on for an opinion  
 on the subject before Govt. sanction  
 any pay.

But besides this W. Lowry  
 asks for

Cost of filling &c. 10000 lbs of  
 lime down at \$3. per ton. \$3000

Plant ———— 2000

Buildings ———— 1000

Compensation for loss of time  
 interest & loss of profit ———— 5000

\$11000

Capt Reddome says the  
 price of the timber  
 is reasonable in amt.  
 but Govt. don't want the  
 timber or W.D.'s plant  
 or buildings - & don't  
 see that they have any  
 thing to do with the  
 timber & Capt Reddome  
 as regards interest  
 in the money actually  
 expended on the road.

If W.D. proposes  
 to retain his lease &  
 work as best he can  
 the Govt. can't prevent  
 him from doing so.

In any case he might  
 retain his property in the  
 timber already felled  
 & make the best of  
 it that he can.

The Govt. suggestion  
 that if the Govt. proposed  
 to work the forest (if  
 relinquished by W.D.)  
 on behalf of Govt. the

Swiss of W.L. might be  
secured with advantage  
but Capt. B. says it  
is useless to commence  
any timber operations  
until the roads are  
made.

W.L. seems to think  
that he wd be employed to  
complete the flat work  
& to lay out any other  
roads. Sacks for W. 500  
worth for the first year.

He is inclined to W. 500 a year  
if he gives satisfaction.

I fancy W.L. is a very  
competent person for the  
task. but I don't know  
that the S.F.W. W. take him  
at his own price for his work.  
& certain of the Forest Dept.  
cannot do so.

I suggest the order of  
Govt. on the matter.

6. Jan'y 1868.

C. 7th Jan'y 1868.

I see this suggestion on the fact  
that Captain Reddome deems it  
not to be desirable to work the  
trails to the Sawry's road, back.  
It seems obvious that his survey  
commencing between the various any can  
get him out of his present position. & is raising  
his terms per diem.

I would drop this  
negotiation commenced  
with Mr Lowry and in-  
timate to him, that if  
it be found that he con-  
tinues his efforts to form  
a company, & discontinue  
the personal super-  
intendence he is bound  
by his agreement to  
afford to the felling  
releasing the road  
with increase their right  
of securing possession  
of the road. for the use  
of which at all way there  
be levied.

Memo. for  
order

I think that the Govt.  
should assume the property  
control & management  
of the work in conformity  
with the terms specified  
in the f.o. of the 15th September  
1865 paying Mr Lowry  
what may be decided  
by the Engineer in chief  
Engineer & reasonable  
remuneration for the  
cost of construction.  
and I would offer Mr  
Lowry a lump sum  
of Rs 5000 for the con-  
struction of the base  
line timber which has  
been fully running the  
property of Govt.  
It is I think very desirable

I cannot but have a  
powerful and indiscriminate  
denudation of the Forests  
as shown by Lowry's projected  
Company desiring to purchase,  
and which is true as the  
Lowry's have continued with  
to improve to much risk.

In my judgment the encouragement  
of coffee or other valuable planting  
on the Anaimallay is a measure  
of very practical policy.

I adhere to the opinion  
expressed by Mr.  
Arthur.

Revenue Department

W-197

Proceedings of the Madras Govt  
under date the 23<sup>rd</sup> January 1868.

Read the follow-  
ing letter from the Off<sup>r</sup>  
Cons<sup>r</sup> of Forests:-

Forwarding a letter  
from Mr. Lowry with re-  
ference to G.O. No 2517 of 4<sup>th</sup>  
25<sup>th</sup> Dec<sup>r</sup> 1867.

(These under 20<sup>th</sup> Dec<sup>r</sup>  
1867, No 427) =

It appears to  
Govt that Mr. Lowry some-  
what misapprehends the  
position of affairs:-

In 1865 he obtained  
a lease of certain  
forests on the Anaimallay  
on certain conditions in-  
cluding that of personal  
supervision, and also the  
grant of the land through  
which to make a road  
from his estate on the  
Hills to the low country  
with permission to put a  
toll on it - Govt expressly  
reserving to themselves the  
right

see  
WOK

right to resume possession,  
control and management  
of the road at any time  
at their option, paying to  
Mr. Lowry the cost of con-  
struction."

In June of last  
year Mr. Lowry "not having  
funds to carry out his pro-  
posed operations" addressed  
Mr. Fleghorn on the  
subject of a projected  
Animulhay Timber Com-  
pany to be established  
on the basis of his lease-  
but the Govt declines to  
relax the special condi-  
tion of personal super-  
vision on which the  
lease was granted - and  
which is manifestly not  
compatible with the es-  
tablishment of a com-  
pany.

Presuming however  
that Mr. Lowry's object was  
to obtain the means of  
completing the road to his  
estate - the Govt offered  
to exercise their option  
of taking over the road -

in

in view to its completion  
to the head of the Shant-  
providing that Mr. Lowry  
would relinquish his  
lease of the timber - and  
they at the same time  
authorized the Conservator  
of Forests to bring forward  
his proposals for working  
the forests on account  
of Govt if Mr. Lowry re-  
signed his lease - and  
employing Mr. Lowry in  
the department as he has  
suggested.

Captain Piddome  
now states that Mr. Lowry  
is willing to take service  
under Govt for employ-  
ment on the formation  
of the road and timber  
operations, on a salary  
of Rs 500 monthly to be  
raised to Rs 600 after  
one year - but he adds  
that it would be use-  
less to commence any  
timber operations till  
the road is made.

He also forwards

a letter from Mr.  
Lowry asking Rupees  
13,500 as the cost of  
the road-work done  
including payment for  
his own services - and  
a total further sum of  
Rs 11,000 as the cost of  
felling certain timber  
now in the forests - the  
value of certain plant  
and buildings - & compen-  
sation for loss of timber-  
interest and loss of pro-  
fit - the payment being  
claimed in consideration  
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lease =

The claim on  
account of the road-work  
may be perfectly  
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it without first obtain-  
ing the opinion of the  
Supt. Engrs after he has  
personally inspected the  
work done - which he  
will

will be instructed to  
do so soon as the Govt.  
receives a definite  
acceptance by Mr. Lowry  
of the terms offered.

The claim to  
compensation for relin-  
quishing a lease which  
Mr. Lowry states he had  
not funds to work - and  
in consideration of his  
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Govt. proposed to take  
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which his estate is  
situated - appears to Govt.  
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of the timber felled, &  
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him Rs 5,000 on the can-  
celment of his lease  
the timber in question  
becoming the property  
of

of Govt -

Captain Reddome  
will communicate that  
offer to Mr. Lowry - and  
forward his reply to Govt -

The question of  
Mr. Lowry's employment  
whether on the road  
or in working the forest  
for Govt must rest  
with the Sup<sup>y</sup> Engr<sup>s</sup> or  
the Forest Conservator.  
This is not a matter in  
which Govt can in-  
tervene -

L.R.

13 Copies Letter off<sup>r</sup> Engr. with an Encl. Dec 24/04

1 Copy — Sup<sup>y</sup> Engr<sup>s</sup> Division ✓

14 Copies — Dir of Revt ✓

20 — — — — — Mr Deane ✓

70  
6

27 Dec 24/04

Regarding the  
claim

Case No. 506-507  
25/10/67

Revenue 1868 Pp  
Pro of Geo for January

No 197

Pro of the Madras Govt  
of 18th January 1868

From Offg. Commr of Forests  
at Madras 18th Jan 68  
[in 1867] [in 1868] [in 1869]

Cin

See

1895-96

18th Jan 1868