

*Proceedings of the Madras Government, Public Works Department,
17th November 1868.*

No. 321. Read the following Proceedings of the Madras Government in the
Revenue Department :—

*Messrs Hunter and Allan's land on the
Neilgherries* —Department of Public Works
to provide funds for the proposed compensa- (Here enter 4th November 1868, No. 2,778.)
tion for the damage done to the property by
the construction of the Karteri road

No. 322. ORDER THEREON, 17th November 1868, No. 3,589.

ACCOUNT, No. 22.

Communicated to the Superintend-
ing Engineer of the 7th Division, who
will disburse the amount in question from

the general funds at his disposal in anticipation of a specific allotment later in
the year.

(True Extract.)

Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 7th Division.
„ Controller of Public Works Accounts.
„ Accountant General
„ Revenue Department.

Exd. S. T. Augustin.

Govt. of 1868 Madras.

PUBLIC WORKS.

To

THE SUPERINTENDING ENGINEER,

7th Division.

&c, &c, &c.

Dated November, 17th

Recd

Enc

G O, 17th November 1868, No 3,50

NOVEMBER.

Nos. 321-322

Compensation—Proceedings Revenue Department requesting that provision may be made for the payment to Messrs Hunter and Allan of Rupees 100, being the amount of compensation proposed to be given for the damage done to their property by the construction of the Karteri road, Coimbatore District, communicated to the Officer concerned

Proceedings of the Madras Government, Revenue Department,
4th November 1868.

Read the following —

No 66. Proceedings of the Board of Revenue, dated 10th October 1867, No. 6,515.
Read the following letter from the Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 13th September 1867, No 231.

1. In the construction of the Karteri road, some damage was done to Messrs. Hunter and Allan's property. The damage as stated by Mr Allan, is as follows.—

I. "A number of coffee trees in full bearing have been broken and much

"injured by rocks blasted out of the said road, damage done about Rupees 100."

II. "The garden wall is also much broken from the same cause, and will

"require about Rupees 50 to repair it"

III. "The Shola land adjoining has been damaged by a large quantity of

"earth and stones having been thrown upon it."

IV. "The road has been cut right through this Shola land dividing the

"top a good Acre in extent from the lower part, and which upper piece of

"land we are willing to give up to Government"

2. This is, I believe, a fair statement of the injury done to the estate.

3. As compensation Mr Allan asks for a small piece of Government Shola

land, (about seven Acres,) situated close to the Karteri ford and on the Hoolicul side

of the river Colonel Walker, Superintending Engineer, whom I addressed on the

subject, writes that Major Farewell, who had met Messrs. Hunter and Allan, and

discussed with them the subject of compensation, reports that they had waived

their claim for money compensation, and that they would be satisfied "As regards

"these seven Acres of Shola land asked for by them, with a guarantee that such Shola

"shall be declared a Government reserve, not to be felled, and that they shall have

"the exclusive right to such water as may flow from the source in the said Shola"

4. From personal knowledge of the locality, I am prepared to recommend a

compliance with Messrs. Hunter and Allan's request. The Shola, which lies in a

steep gorge, is an isolated one of about six or seven Acres The stream, running

through it, is insignificant in size, and sufficient only to supplement the supply of

water to one end of the estate

5 The use of the water flowing below the point, from which Messrs Hunter

and Allan's channel is taken off by any one else, is unobjectionable

6 In a few words, Messrs Hunter and Allan ask, as compensation for damage

done to their property, that Government will declare that a certain Shola shall be

reserved, and that they (Messrs Hunter and Allan) shall be guaranteed the use of

the water flowing from it

7. The marginally noted original

From Messrs Hunter and Allan, dated 1st Sep- correspondence is forwarded for the in-

tember 1866 formation of the Board, with a request

From Superintending Engineer, 7th Division, that it may be returned when no longer

dated 15th August 1867, No 53 required

From the Superintending Engineer, 7th Division, to the Collector of Coimbatore, dated Coonoor,

15th August 1867, No 53

1 With reference to your letter, No 70, of 3rd May, the enclosures whereof are herewith

returned, I have the honor to state that Major Farewell reports that Messrs Hunter and Allan,

*Proceedings of the Madras Government, Revenue Department,
4th November 1868.*

in personal conference with him, have waived their claim to any money compensation for alleged damage done to their estate of Glenmore, and that they will be satisfied as regards the seven Acres of Shola land asked for by them, with a guarantee that such Shola shall be declared a Government reserve, not to be felled, and that they shall have the exclusive right to such water as may flow from the source in the said Shola

2 I am of opinion that such water-right should be guaranteed them so far as that no land lower down than Glenmore estate shall be supplied from it. But I do not see why land that may be hereafter taken up above that property should not be allowed to benefit proportionally to the acreage for which rent is paid to Government. There is but little such land available

From Messrs HUNTER and ALLAN, Coonoor, to the Collector of Coimbatore, dated Glenmore, 1st September 1866

1 We have the honor to bring to your notice that, in the making of the new Karteri road, considerable damage has been done to the Glenmore property.

I A number of coffee trees in full bearing have been broken and much injured by rocks blasted out of the said road, damage done about Rupees 100

II The garden wall is also much broken from the same cause, and will require about Rupees 50 to repair it

III The Shola land adjoining has been damaged by a large quantity of earth and stones having been thrown upon it

IV The road has been cut right through this Shola land dividing the top a good Acre in extent from the lower part, and which upper piece of land we are willing to give up to Government

2 In compensation for the above, we are anxious to have granted to us a small piece of Government Shola land, (about seven Acres,) situated close to the Karteri fork, and on the left hand side of the river, a rough sketch of which is enclosed

3 Our reason for desiring this Shola is, that the water from which the chief supply for Glenmore is derived takes its rise on this land

4 As we believe that no party has ever applied for this land, and that no difficulties are in the way of its being granted to us, we trust that Government will give us a speedy settlement of this, as well as the other small claim for compensation due for land taken for Sappers, Barracks

ENCLOSURE No 3—Plan

The Board are not disposed to give compensation to Messrs Hunter and Allan in the manner proposed. Such complicated arrangements will inevitably lead to embarrassment and difficulties hereafter

2. Under the circumstances, the only course which can be adopted is to decide to what amount of money compensation Messrs. Hunter and Allan are entitled by arbitration or otherwise.

No 67. Proceedings of the Board of Revenue, dated 22nd September 1868, No 6,729.

Read the following papers —
Board's Proceedings, dated 10th October 1867, No. 6,515

From the Acting Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 20th August 1868, No 14

1. With reference to Proceedings of the Board of Revenue, dated 10th October 1867, No. 6,515, regarding compensation to Messrs Hunter and Allan, for damage done to their property in the construction of the Karteri road, I have the honor to

*Proceedings of the Madras Government, Revenue Department,
4th November 1868.*

reply that, on the 27th ultimo, those gentlemen wrote in putting the damage at Rupees 500 I enclose copy of their letter A., and further correspondence, B and C.

2 On the 13th instant I addressed them letter B, to which they replied with C. Considering that the case has stood over for two years, I trust the Board will accord me sanction to pay these gentlemen 400 Rupees in full of all demands.

ENCLOSURE No 1. A

From Messrs HUNTER and ALLAN, Coonoor, to the Assistant Collector of Ootacamund, dated Glenmore, 27th July 1868

1 Referring to our conversation on Saturday last, we have the honor to inform you that, as the Board of Revenue are not disposed to grant us land, but insist upon our taking money compensation for injury done to our Glenmore property in the making of the new Karteri road, we value our total claim for damages, (as specified in our letter to the Collector of 1st September 1866,) at the amount of Rupees (500) five hundred

2 As it is now nearly two years since we applied for this compensation, we trust that this may now be settled without any further delay.

ENCLOSURE No 2, B

From the Acting Commissioner of the Neilgherries, to Messrs HUNTER and ALLAN, Coonoor, dated Ootacamund, 13th August 1868, No 28

1 With reference to your letter to Mr Roupell of the 27th July 1868, assessing the damage done to your land at Rupees 500, the Board, I think, will hardly accept the mere mention of a round sum, without some details showing the way you arrive at the result

2. In your letter to Mr Grant Collector of Coimbatore, of 1st September 1866, you state the damage done under four heads—

- I Coffee trees injured, Rupees 100
- II Garden wall injured, " 50
- III. Shola land injured
- IV. Road cut through the Shola

I understand the road through your property to be considerably less than a mile, and if the breadth of land taken up be 50 feet or so, the whole area taken may amount to three or four Acres

3 The amount, Rupees 350, for III and IV, seems to me to be somewhat excessive. If you could reconsider the matter, and oblige me with more detail, and put the damage at a somewhat lower figure, I think there will be more hope of a speedier settlement. Please let me have a reply as soon as you conveniently can

ENCLOSURE No 3, C.

From Messrs HUNTER and ALLAN, Coonoor, to the Acting Commissioner, Ootacamund, dated Glenmore, 17th August 1868

We have the honor to acknowledge receipt of your letter, No 28, of 13th instant, and in reply we beg to state —

I That land fit for coffee cultivation in the immediate neighbourhood of Coonoor is of considerable value, and that lately we bought from Captain Fuller a piece of seven Acres for Rs 1,250, or about Rupees 178 an Acre. This block is adjoining, and is similar land to that taken up by new Karteri road

II The extent of land taken up by said road is, we believe, about four Acres, besides a good Acre damaged by rocks

III From this you will see that our claim of Rupees 500 is by no means excessive. but as we are anxious to have this small affair settled at once, we will agree to take Rupees 400, and be done with it

N. S. S. S.

*Proceedings of the Madras Government, Revenue Department,
4th November 1868.*

ORDERED that the foregoing papers be submitted to Government, with the Board's recommendation that the Commissioner be authorised to pay to Messrs. Hunter and Allan Rupees 400 as compensation for the damage done to their property, and that the above amount be placed at his disposal in the Public Works Department.

2. In a letter, dated 13th September 1867, No. 231, the Collector of Coimbatore reported that, in the construction of the Kateri road, some pecuniary damage was sustained by Messrs. Hunter and Allan, inasmuch as the road passed through the Shola or forest land belonging to their property, cutting off an Acre or more, and thus destroying the compactness of the estate; and a number of coffee trees in full bearing, as also the garden wall, were much injured and broken by the blasting operations necessitated by the construction of the road.

3. The compensation originally asked for by the proprietors was the grant to them of a piece of Government Shola, (about seven Acres,) in which a stream, from which their estate was chiefly supplied, takes its rise.

4. The Collector and Superintending Engineer recommended a compliance with this application, observing that the actual object of the applicants was to move Government land to declare that the land sought should be reserved, and that the applicants should be guaranteed the use of the water flowing from it. The Shola, the Superintending Engineer stated, was isolated and situated in a steep gorge, and that the stream running through it was insignificant in size, and sufficient only to supplement the supply of water to one end of the estate; but that if any of the small quantity of land available above that estate were hereafter taken up, the occupants should be "allowed to benefit proportionally to the acreage for which rent is paid to Government."

5. The Board disapproved of this manner of granting compensation, as they believed that it would lead to much embarrassment hereafter, and directed that a money payment should be proposed.

6. The compensation now recommended by the Commissioner, and agreed to by Messrs. Hunter and Allan, appears to the Board to be the best arrangement.

ORDER THEREON, 4th November 1868, No. 2,778.

Miscellaneous

The Government approve of the arrangement proposed by the Board, and resolve to transfer their Proceedings to the Public Works Department, in view to the necessary funds being, with the least practicable delay, provided for the payment of the proposed compensation, viz, Rupees 400, to Messrs. Hunter and Allan for the damage sustained by their property by the construction of the Kateri road.

(True Extract)

W. A. G. S.
Acting Secretary to Government.

To the Board of Revenue.
" the Public Works Department.
Exd F. R. Bantleman.

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Public Works Department
No. 3589
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to the 17th Nov 1868
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W. A. G. S.

Madras Government, Revenue Department,

22/11/1868
Govt. of Madras.
Revenue.

To
THE BOARD OF REVENUE,
& & &

Date 1 November, 1868
Recd .. 6 ..
G O, 1st November, 1868, No 2,778

NOVEMBER.
Nos. 68-68

Messrs Hunter and Allan's land on the
Neelgherries—Department of Public Works to
provide funds for the payment of compensation for
the damage done to it by the construc-
tion of the Karteri road.

A-321

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to the
least practicable delay, provided for the payment
viz., Rupees 400, to Messrs. Hunter and Allan for the damage sustained by their
property by the construction of the Karteri road
(True Extract)

W. H. Bantleman
Acting Secretary to Government.

To the Board of Revenue.
,, the Public Works Department.
Exd F. R. Bantleman.

20/11/1868

Public Works Department
N^o 3589
99

Proceedings of the Madras Government
Under date the 17th Nov 1868
Read the following

Proceedings of the Madras Govt. (How later in 2778 date 4th Nov 1868)
Revenue Dept.

Communicated to
the Superintending Eng^r
of the 7th Division who will
reimburse the amount in
question from the general
fund at his disposal
in anticipation of a spe-
cific allotment later in
the year.

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21/11/1868

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Co 4318
 Court of 1868 Madras.

PUBLIC WORKS.

To The Superintending Engineer
 7th Division

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G. O. 17th Nov. 1868, No 3589

Nos. 321 & 322

Compensation Poo, Ant Sept
 requesting that provision may
 be made for the payment to
 Messrs Hunter and Alderson of
 Rs 400, being the amount of
 compensation proposed to be
 given for the damage done
 to their property by the con-
 struction of the Barren road,
 Cumbalme District. And that the
 same be done.