

(1) Number of pages 13(2) Date of repair 03/1/37(3) Initials of the Referencer [Signature]**MADRAS RECORD OFFICE.****Government of Madras.***Public works* **DEPARTMENT.**

G.O. No. 791

~~Press~~
Mis.

411-14

Dated 16. 3

1871.

Not to be folded or roughly handled

No. 479.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 31st January 1871.

Read the following letter from J. W. BREEKS, Esq., Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 10th January 1871.

No. 3:—

In Government Order, 14th October 1870, No. 2,463, Public Works Department, the Government instructed me to take up the whole of the lands required for the Ootacamund reclamation and water-supply projects, with as little delay as possible.

2. I am in hopes that every owner, with the exception of Mr. Frend, will agree to the terms I have proposed for compensation.

3. The Board will find the particulars of Mr. Frend's claim in my letter of the 19th July 1870, printed with Proceedings of the Public Works Department, abovementioned. The lowest amount Mr. Frend is prepared to take for the 12.22 Acres which we have taken, is 25,000 Rupees.

4. Having gone through the forms prescribed by Sections 9 to 13 of the Act, I investigated the nature and value of Mr. Frend's claims. Of the 12.22 Acres, about 7.46 one grass land for which I offered Mr. Frend Rupees 1,492 being at the rate of 200 Rupees an Acre, which rate has been generally accepted by all owners. The remainder 4.76 Acres on Swamp land for which I offered Rupees 1,904, viz., at the rate of Rupees 400 an Acre, that being the rate accepted by Mr. Ouchterlony for 7.49 Acres and by Colonel Morgan for 3.55 Acres of the identical swamp in which Mr. Frend's 4.76 Acres are situated. Furthermore, I offered him Rupees 604 to compensate for the delay and inconvenience in settling his claim, total offered Rupees 4,000.

5. I see by a letter from Mr. Davidson (when Acting Commissioner) to Mr. Frend, dated 12th December 1870, that in a conversation with Mr. Davidson in the Office, Mr. Frend consented to reduce his claim to 10,000 Rupees, and further time was given him to the 15th instant. After receiving Mr. Davidson's letter of the 12th December to the effect that he thought my offer of 4,000 Rupees liberal, Mr. Frend has finally written me that he adheres to the former claim of 25,000 Rupees.

6. I have now under Sections 15 and 18 of the Act to refer the question to the Coimbatore Court of Arbitration. The amount claimed is large and the costs will be heavy, qualified Assessors under Section 19 will hardly go to Coimbatore under 3 or 400 Rupees and their travelling expenses. I would, therefore, strongly recommend that I be allowed to instruct Mr. Chapman here to appear before the Arbitration Court to plead on behalf of Government as prescribed in Section 23.

It is most necessary that the Pleader should know the ground and something of the value of land up here.

Mr. Chapman, I believe, would undertake the case for 350 Rupees, with his travelling expenses to and fro.

I request permission to engage him.

THE Board resolve to submit this application for the orders of Government.
(A true Copy and Extract.)

J. G. G. G.
Acting Secretary.

To the Secretary to Government, Revenue Department.
Copy to the Commissioner of the Neilgherries.

Exd. G. A. Turton.

plaid

Commissioner's Office
Ootacamund 16th February 1871.

1014

From

J. W. Brier Esquire

Commissioner

Nilghevies

To

The Secretary to Government
Public Works Department
Madras.

Sir;

Government Order, 11th
February 1871, No 49, directs me to report
whether any portion of the reclamation money
at my disposal, has been laid out on the
Ootacamund lake sluice and what sum
is now available for expenditure by the
Range Officer.

2 In proceedings of Government,
D. W. S., 14th October 1870, you will find
my letter to Chief Secretary 23rd July 1870,
No 31 / with statements A, B and C / wherein
I reported that out of the Rs 1,000 in
part II Public Works Budget for 1869/70
placed

1871. 1871.
Board of Revenue,
Madras.

MADRAS. 1871.

PROCEEDINGS, 21st JANUARY 1871, No. 472.

20th 7th 1871

Encl

16th February 1871

JANUARY.
No. 472.

Compensation—to be paid to Mr. Fend for his
land at Ootacamund on Nilghevies, taken up
for swamp reclamation and water-supply projects.
—Application of Commissioner for permission
to engage Mr. Chapman to appear on behalf of
Government before Cumberton Court of Arbitra-
tion to which Court question of, has been referred.

1871. 1871.
Board of Revenue,
Madras.

placed at my disposal for Water Supply
 and Reclamation Works, I had spent
 Rs 17,699, in Compensation for lands taken
 up on account of the Reclamation. The
 difference between Rs 17,699 and Rs 20,000
 is Rs 2,301. This sum I spent on the
 North Water Supply Channel as per
 Statement B. Subsequently out of the Rs
 17,699, I recovered Rs 2,618-13-3 by
 the sale of materials and the sum Rs 2,618-13-3 is
 still in credit under the head of "Miscellaneous
 Deposits".

3. When I wrote my letter
 of the 23rd July 1870, I had gone carefully
 into the estimate of each man's claim
 for Compensation and quite expected Rs
 10,029 would suffice to meet the remaining
 claims. The Government accepting my
 estimates, have provided Rs 10,000 in
 the Budget for 1871/72.

4. Subsequently, however,
 that is towards the end of last year,
 I discovered certain errors in the description
 and extent of lands taken from Mr. Friend
 which necessitated my making him a
 further offer.

The errors are as follows.

III The total area taken from
 him is acres 12.45 and not acres 12.22

(II) Of these acres 12.45

	11.25	are "Swamp"
	1.20	Grazing
	<u>12.45</u>	
not	4.76	Swamp
and	<u>7.46</u>	Grazing
	12.22	

as at first stated

5. Offering Mr. Friend the

same ratio as has been accepted by
 others, his Compensation amounts to Rs 5,344.
 I formally tendered him this sum and
 he accepted the offer, provided 5 per
 cent be added as allowed under Section 42
 of Act X of 1870 and 6 per cent in the
 shape of interest from the time of taking
 possession. This will raise the amount to
 be paid to him to Rs 6,948, and I have
 recommended the Government to give him
 this sum rather than go to arbitration.

My former offer to Mr.
 Friend was Rs 4,000. The difference
 between Rs 4,000 and Rs 6,948 is Rs
 2,948

2948 which will have to be added to the Rs 10,029. The recovery therefore of Rs 2618-13-3 & credit of "Miscellaneous Deposits" will be required & sufficient Rs 10,000 sanctioned in the 1871/72 Budget leaving a balance still to be provided of Rs 358-2-9.

7. This small balance I trust will be sanctioned out of the Rs 6,000 which remains at the disposal of Government under the head of Miscellaneous Public Improvements in para 13 of Government Order Public Works Department 15th December 1870 No 3044.

8 I have had a good deal of trouble & come to terms with all the owners whose lands and houses have been taken up for the Water and Reclamation Scheme and now live, I have settled with all of them with one exception Mr. Denny who up to this refuses to accept Rs 40 offered and desires to arbitrate.

9 In my local Fund Budget

14
Budget for 1870/71, I have got Rs 350 under the head of Original Works by Revenue Department for clearing the Lake, of weeds. This sum I can place at the disposal of the Range Officer.

I have the honor to be
Sir
your most obedient servant

Truselly
Commissioner

J. G. D

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No. 899.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st March 1871.

Read the following letter from J. W. BREEKS, Esq., Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 4th February 1871.

After the despatch of my letter of the 10th January 1871, No. 3, respecting compensation for land taken from Mr. Frend, I discovered errors* in the description and extent of land taken from him. This necessitated my making Mr. Frend another offer which he is ready to accept if certain additions be made.

2. The errors were as follows:—

(1). I find the total area taken from him is Acres 12-22 and not Acres 12-22 as originally given by the Survey Department.

(2). Of these Acres 12-45,

11-25 are Swamp,
 1-20 Grass.
 12-45
 Net... 4-76 Swamp,
 and 7-46 Grass.
 12-22, as before stated.

Offering Mr. Frend the same rates as have been accepted by others,* his compensation amounts to Rupees 5,344. I formally tendered him this sum and now enclose his reply to the effect that he is willing to accept my offer provided 15 per cent. be added as allowed under Section 42 of Act X. of 1870, and 6 per cent. in the shape of interest from the time of taking possession. This will raise the amount to be paid to Rupees 6,948, as follows:

	RS.	A.	P.
My offer	5,344	0	0
15 per cent. on that... ..	801	8	0
6 per cent. on do. from date of possession—30th August 1863 to 28th February 1871, two and a half years	802	8	0
Total	6,948	0	0

I would recommend the Government's acceptance of Mr. Frend's proposal.
 4. An early answer will oblige.

ENCLOSURE No. 1.—Letter from Mr. Frend.

SUBMITTED for the orders of Government in continuation of Board's Proceedings, 31st January 1871, No. 479.

(A true Copy and Extract.)

J. G. Mole
 Acting Secretary.

To the Secretary to Government, Revenue Department,
 with one original enclosure.

Copy to the Commissioner of the Neilgherries.

Exd. T. Cartledge.

I have the honor to be
 Sir,
 your obedient servant
 J. P. Jones

Page 6-948

$$\frac{12 \times 44}{100} \times 12 = 12 \times 5.3 + 12 \times \frac{44}{100}$$

$$= 63.6 + 5.68$$

$$\begin{array}{r}
 5344 \times 15 \\
 \hline
 100 \\
 20 \\
 \hline
 76032
 \end{array}$$

~~John~~

Transferred

$\frac{2}{3} \times 51 + 22 \times 51 = 51 \times \frac{2}{3} + 22 \times 51 = 15 \times 22 + 15 \times 22 = 20.2 + 20.2 =$

Dec 754/11

U. French

- 20.2 + 20.2 = Dated 31st Jan 11

Transferred to the

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with the

docket of the 8 Feb

will

W. Dept.

99

Proceedings of the Madras Government.
Under date the February 1871.
Read the following

Proc. Board of Rev.
tho' the Rev. Dept.

(Hercules No 47978 Feb 1871)

As the Govt. are
disposed to think that the
Officer who, under para 3 of
Act x of 1870, may be appointed
to perform the functions of
a Judge under that Act,
Should hold his Court and
give his award where the
land to be taken up
under the Act is situated,
the Proceedings of the Board
of Revenue, which were
transferred to this Dept.
with Mr. Buddleston's
docket of the 8 Feb
will

will be transferred to the
 Judicial Dept with a view
 to the question being con-
 sidered in that Dept
 and the necessary orders
 issued.

[Signature]

To the Judicial Dept.
 " to the Secy.
 " to the Secy.
 " to the Secy.

[Signature]
 W.H.C.
 A.A.
 J. D.S.

As it appears from
 this letter that Mr. Frend
 is not disposed to accept
 the amount which has
 been offered to him as
 compensation for such of
 his land as is required to
 be taken up for the
 Polacamund reclamation
 and Irater Supply projects,
 the Government approve
 of Mr. Chapman being
 engaged to appear before
 the Coimbatore Court
 of Arbitration to which
 the

the question will, under
the circumstances, have
to be referred in accordance
with the provisions of
Act X of 1870.

[Signature]

The Board of Revenue
Ran. Boparthi
Supt. Engrs. J. D. S.
Controller O. D. S.

Exhibit No. 791.

Proceedings of the Madras Government
Read the following -
Indorsement from the Res. Dyke / H.E. 7/8 July 1871 No. 1
Commr. of Railways / H.E. 7/16 Dec. 1871 No. 14
Indorsement of the Res. Dyke / H.E. 9 March 1872

His Excellency the
Governor in Council author-
izes the payment of Rs 5442
to Mr. Fend as compensa-
tion for such of his land
as is required to be taken
up for the Portacammund
reclamation and water sup-
ply projects.

The amount will
be provided by the follow-
ing transfers, and the Com-
missioner of the Railways
will arrange for the adju-
stment.

[Signature]
[Signature]

adjustment of the claim
before the close of the
official year.

- Tanjore. New Sub Magistrate's Quarters
with 2 large and 2 small Sub
wards with Sub. houses at
all. Est: Rs 23960 sanctioned.
in G.O. No. 2475 of 28 July '81. 854
- do. By Tahsildar's Quarters, with
do do at Sedarukin
Est: Rs 12620 sanctioned in
the above G.O. 827
- do. Sub. houses for the existing
Sub Magistrate's Quarters
at Sedarukin. Est: Rs 2210
sanctioned in the above G.O. 139
- do. Two small wards to do
at Sedarukin. Est:
Rs 3830 sanctioned in the
above G.O. 128
- do. Range Office building. Est:
Rs 1530 sanctioned in G.O.
2221 of 15th Sept. '75. 250
- Tinnevely. Original works.
Communications. 1865
- Trichinopoly. Minor new works. Civil Buildings. 178
- Tanjore. do. Communications. 250
- Godavery. do. Civil Buildings. 145
- do. do. Communications. 100
- Tanjore. do. Civil Buildings. 15
- do. Completing the navigable
Canal.

① Details will be given hereafter

Canal between Negapatam
and Vadamieu. Estimate
Rs 108192 sanctioned in G.O. No.
3101, 2736 & 3703 dated 19th
Oct. '85, 29th Aug. '86 and 25th
Nov. '86 respectively. Budget
Item No 245. 2201

6948

* Subject to the sanction of the Govt. of India.

[Signature]

83.
15

The Supty Engineer, 1st B. 7 & 8 Div.
Commission of the Fisheries
Controller of P.W. Accounts
Public Works Dept.
Revenue Dept.

Sign Copies despatched 16/3/71
Sign Copies — 17/3/71

283 637 1099 743

Govt. of 1871 Madras.

PUBLIC WORKS.

To the Superintending Engineer
for the 1st Division

For the Road 854 of 22nd 3/4

Date

Re

G. O. 16th March 1871

No. 111 of 1871

Returned Report
to the Government of 1871
to be read for each pole
of the land as may be
taken up in connection
with the water supply & the
water supply & the
water supply & the
the necessary funds
to be paid by the