M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1731 Press ~~Mis.~~

497-498

Dated 28- 9- 1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
28th September 1860.

No. 497. Read the following letter from J. OUCHTERLONY, Esq., to J. D. BOURDILLON, Esq., Secretary to Government, dated Ootacamund, 7th September 1860:—

SIR,

I have the honor to request that you will bring the following circumstances under the consideration of the Honorable the Governor in Council.

2. On the 16th March 1860 a Government Notification directed the transfer, from the 1st May following, to the District of Coimbatore "of that part of the *plateau of the* Neilgherries now "belonging to Malabar, comprising *the Koondah range.*"

3. In the early part of May Mr. E. B. Thomas, Collector of Coimbatore, visited the part of this tract which extends to Neddiwuttum, taking Mr. A. Lascelles with him on the occasion.

4. On his return Mr. Thomas wrote me a private note saying that he had been surveying his new territory, and was struck with the exposure of coolies and others travelling along the road, and he proposed to erect sheds if planters would contribute towards the expense. This I did, and pointed out other matters requiring attention, in which we would gladly assist. Mr. Thomas replied to this; and in both communications he left me under the impression that this was *the only* subject that had attracted his attention.

5. Shortly after I learned that, on Mr. Thomas' return from Neddiwuttum, he had visited a gentleman here, Mr. A. C. Campbell, (who had recently arrived from England and acquired an interest in some of my Coffee Estates near Gúdalúr,) and that he had represented to him, that he had just been to Neddiwuttum, whither he had taken Mr. Lascelles to accompany him, as the latter was so well acquainted with the whole country and all connected with it; that the Government had asked him to report upon the proprietary right in the valley in which I cultivate Coffee, and that it was his decided opinion that the Neddiwuttum valley ought to belong to the Government as the Neilgherries on every side reached to the low country, and that it did not belong to the Rájá of Nallambúr; and further, when Mr. Campbell asked what would in such a case become of the Coffee Estates opened there, he replied that of course the Government would treat them on a liberal footing.

6. On the 31st May Mr. Thomas addressed the Government on the subject of his visit to Neddiwuttum. With the contents of this letter I became acquainted through a demi-official communication on one of its topics—the supplying Ootacamund with *firewood* from Neddiwuttum. The 3rd and part of the 4th paragraphs of this letter are as follows:—

"(3.) Of the increasing importance of this line of road, the access to Wainád (with all its "increasing Coffee Estates and investment of English and Native capital) the Governor will be "aware; especially since His Excellency the Governor's late visit to the Hills. I also saw the "vast and noble valley claimed by Mr. Ouchterlony, with its six or seven flourishing Coffee "Estates, held *with* or *under* that gentleman. I have seen the Coffee Estates of Ceylon, of the "other parts of the Neilgherries of Coorg, the West Coast and other places, but never saw a "more splendid, wooded, sheltered and watered valley, than this, lying between the Neddy Betta, "(*i. e.*, Neddiwuttum) Peak, South West, and the Neilgherries Peak on the South. I should "say there are at *least* 20,000 acres of valuable forest Coffee land, scarcely one-tenth of which "is as yet broken up.

"(4.) My present business, however, is not whether this tract belongs to, and should be "held under Government, or the Nallambúr Rájá, but with the shelter so urgently required "on the route." * * *

7. It is now three months since the above proceedings; and Mr. Thomas (under date the 14th ultimo,) has written to me to say—that the task of making a report on my valley at Neddiwuttum (which Mr. Thomas calls within his district) had been forced upon his unwilling care before His Excellency Sir C. Trevelyan left the Hills; that he had not had time yet to under-

take it; that he had seen the place and locality and no more; and that he then wrote to prevent misunderstandings.

8. Now the first point I would take leave to notice in the foregoing is, the palpably identical inspiration, under which Mr. Thomas penned the remark in the 3rd paragraph of his letter of 31st May about my uncultivated land, with that which misled yourself in your Memorandum of 29th February last. Similar comments have also appeared in letters in the "Athenæum" newspaper (the authorship of which I understand has been openly avowed), although in this latter case no specific locality was named. It was, however, only when appearing under the weight of your name that I deemed the matter to call for a reply.

9. That Mr. Thomas saw the locality spoken of, with any opportunity of that close observation which would admit of the description he gives, I must be permitted to question, and for the following reasons: First, he describes the situation of the valley with singular incorrectness: it is said to lie between the "Neddy Betta Peak," *South West*, and the Neilgherry Peak on the South. Neddiwuttum is in the *North East* angle! Next Mr. Thomas I believe did not go off the top of the mountain, and from that he *could not* see an extent of 20,000 acres.* And last, when he says that there "are at *least* "20,000 acres of valuable FOREST Coffee land," he must, if he really observed the place, have had *large tracts* of *grass land* under his very eye!

* *I now understand that Mr. Thomas on the occasion in question visited Mr. Lascelles' Estate beyond Gúdalúr, but I do not think that from any part of the road thither he could gain a comprehensive view of the valley.*

10. In the second place, I must remark upon the extraordinary contradictions in Mr. Thomas' proceedings. In one case he informs Mr. Campbell of a *conclusion* he has come to on a question officially referred (it is painful to speculate upon the object with which he may have sought to produce the impression upon this comparative stranger that I held my land under a bad title!); in another he seeks to communicate ideas to the Government which are not based on fact; and towards myself, he first withholds all allusion to the subject, and then, after a lapse of three months, volunteers the information that an unwelcome task has been forced upon him, that, in reference to the investigation it involves, he has as yet done nothing more than see the place and localities, and that he has not had time for an *inquiry*, whose *result* he had predetermined as shown in his communication to Mr. Campbell!

11. I must be permitted to doubt whether this particular subject was forced upon Mr. Thomas' investigation and report with full "*connoissance de cause.*" His Excellency Sir C. Trevelyan and the high functionaries with him, were prevented while here from going to Neddiwuttum, and remained in consequence ignorant of the locality. Otherwise they would have known that any question about my valley, concerned what *is still within the District of Malabar*, and such would then hardly, as I venture to imagine, have been referred for report to the Collector of *Coimbatore*.

12. I have already quoted the Government Order transferring the "*plateau*" forming "*the "Koondah range,*" to Coimbatore. Mr. Thomas, in the opening part of his letter of the 31st May, quotes the same Order (of 16th March) as "making over to Coimbatore that portion of the "Neilgherry *plateau South West of Neddiwuttum.*" Now, independent of this being a specification not found in the Government Order, the simple fact is, that there is NO *plateau South West of Neddiwuttum.*† The plateau ceases in that direction *at* Neddiwuttum, and below that there is on one side the forests in the plain stretching towards Tippecandoo, and on another my valley which opens out at Gúdalúr and West of it into the same or a lower level of country. This country is included in the *Wainád* District. The Government Order never made it over to Coimbatore, and Mr. Thomas, fresh from the spot, has pourtrayed a physical aspect directly opposed to fact.

† *A glance at the Revenue and Survey Maps will show this.*

13. The unwelcome conviction forced upon me by all this is, that whatever may be the question committed to Mr. Thomas for inquiry and report, he enters upon it with a prejudiced mind and an uncandid spirit. In further illustration of which I may point to the suggestion,

Proceedings of the Madras Government, Revenue Department,
28th September 1860.

in his letter to Government of 31st May, for drawing supplies of firewood from the forests at Neddiwuttum *to economize the cost of fuel at Ootacamund*—an expectation he cannot have seriously entertained, since the mere line of a bandy to that place is more than double the price at which a bandy load of firewood is even now sold here!—but the suggestion was palpably designed to bring me into collision with the Government on the question of proprietary right in certain of the Sholas.

14. When I put Mr. Thomas' reports and representations and proceedings together and consider how they were probably prompted; and when I reflect upon the disagreeable features developed in a Punchayet under Act XXI of 1841, on which I was lately sitting in conjunction with Mr. Rohde, General Dowker, Major Wapshare and Mr. Nisbett, and which sprang from hostile proceedings against Major Begbie adopted by Mr. Thomas in obvious communication with Mr. Lascelles, I feel myself entitled to ask, that, whatever inquiry it be that the Government see fit to institute, it may be entrusted to some other and an unbiassed functionary.

P. S.—I beg to add that I am sending a copy of this letter to Mr. Thomas.

No. 498. ORDER THEREON, 28th September 1860, No. 1,731.

From Mr. Ouchterlony's description of the position of the property referred to in this letter, it appears clear that the Collector of Coimbatore has made an important mistake as to the meaning of the Order of March 16th 1860, No. 396. That Order transferred a certain tract on the Neilgherries from Malabar to Coimbatore. But the transfer was expressly limited (paragraphs 2 and 7) to the western crest of the Plateau; no part of the western slopes was included. The whole of the Gúdalúr Valley, in which Mr. Ouchterlony's property appears to be situated, remains a part of Malabar.

(Signed) J. D. BOURDILLON,
Secretary to Government.

in that direction at Geddinaltoon
and below that there is an ascent into
the forests in the plain stretching
towards Tipperandoo, and on another
way which opens out at
Jordaloor. and west of it into the
same or a lower level of country.
This country is included in the
Wynaad district. The Government
order never made it over to
Coimbatore, and Mr. Thomas, fresh
from the spot, has portrayed
a physical aspect directly opposed
to fact.

13. The overwhelming conviction
forced upon me by all this is, that
whatever may be the question
committed to Mr. Thomas for
enquiry and report, he enters upon
it with a prejudiced mind and
in a vindictive spirit. In further
illustration of which I may point
to the suggestion, in his letter to
Government of 31st May, for drawing
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forests at Geddinaltoon to economize
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which a bandy load of firewood
is even now sold here! - but the
suggestion was palpably designed
to bring me into collision with
the Government on the question
of proprietary right in certain of
the

the Shikar.

14. When I put Mr Thomas's reports & representations preceding together and consider how they are probably prompted; and when I reflect upon the disputed features developed in Limbaji's under Act XI of 1841, on which I am lately sitting in conjunction with Mr Ritchie, Joint Judge, Major Carpenter & Mr Liebert, and which sprang from hostile proceedings against Major Ryder instituted by Mr Thomas in various communications with Mr Ritchie, I feel myself entitled to ask, that, whatever inquiry it be that Government may fit to institute into the matter contained in Mr Thomas's petitions,

I have the honour &c.

(Sd) Jonathan Duncan Scott

Collectorship

Ootacamund
Sept 7 1860

P.S. I beg to add that I am sending a copy of this letter to Mr Thomas.

J.D.S.

Note. I was led from my recollection of the case, as well as from an examination of the map, that the

Ootacamund, 13th October 1860

My dear Mr Bowdler

I am informed that Mr Thomas, Collector of Tinnevelly, has publicly stated here that he has addressed a letter to Govt containing some damaging imputations against me. I am perfectly ignorant of any cause for his conduct but up to within a week or two ago, our correspondence has been of the usual friendly character and very last note from him is of that description. It is possible that whatever may be the purport of Mr Thomas's communication to Govt it may not be thought necessary to call on me for any explanation, as I am not aware that the communication contains any statement which requires it, and that Govt is to form, & ask you to do me the favor of requesting the Collector to permit me to give explanation on any point which he may consider requires it, and that if any document containing reflections on my character is to be placed amongst the records of Govt my explanation may accompany it. So far as I can learn Mr Thomas's complaint against me is that I accompanied the Collector to Nellore on his late visit and gave him such information as was in my power respecting Estates & boundaries &c. &c. I am in the same manner say that I acted previously in the same manner

with Lord Harris (at his own request) when his Lordship was here, and should have done so while Sir E. Perceval (as you are probably aware) if His Excellency had visited that part of the country. Whatever information I have given to any one on the subject of Mr Bs or other Estate, has been the result of a personal knowledge of the facts not from hearsay. Except on the political question of tax or no tax, Mr B has accused persecution ten times the extent would not affect me in the least, nor can I have any object or motive in stating otherwise than the plain truth in what regarding said Estates, Lands &c. From what has been told me, I am led to conclude that Mr Bs great cause of complaint is that I am & hope ever to be a friend of the Collector, whom he & many others here are trying to run down & injure, (as is evident by their late proceedings in the Assembly, which the Committee had withdrawn in consequence of the personality exhibited) for Mr Auchterlony can scarce be ignorant that I am only acquainted with facts regarding his Estates, which are known I think to Mr Robinson, Mr Clarke and many other of the Honorable Malabar Officials. In all events, with a pure conscience that I shall never not be forced to remain under any imputation or accusation of either evil motives or conduct, and if His Excellency the Governor is of opinion that my character is impeached by anything Mr Auchterlony has said, I confidently trust he will allow me an opportunity of refutation.

Believe me
very truly yours
A W Laidlaw
13th October.

Madras Oct. 19/60.—

My dear Mr. Lascelles.

Your letter of the 13th inst. has been laid before the Govt. and I am desired to inform you that they find no reflections in Mr. Chichester's letter, such as to need any explanation from you, and that they do not consider that your character has been in the slightest degree called in question.— Believe me

Yours truly

A. Lascelles Esqre
Vizagapatam.—

[Sgd] J. D. Bourdillon

Friend -

I received a
letter from Dr. Lo-
ening from Dr. Lo-
eller, and is well
Dr. Auchterlony'
letter to which he refers.
The letter alludes to
Dr. Loeeller in fine
terms and in fervir.
will the first and him
a copy of the letter, as

that nobody should be given
Mrs O. but we
hesitate to make imputation
against Mrs L. behind her
back; but I am not
aware that first - had
much regard for them -

Yrs Affly
CD

necessary on the part of Govt.
Mr. Butterworth says in his
Postscript that he was sending
a copy of his letter to the Secretary
of State
Mrs. Lincoln's ~~letter~~ on the cold
fuss on this occasion & that
was equally effected by its
contents. Mrs. O. was therefore
making no secret & under
hand attempts by Govt.
I do not see sufficient cause for Mr.
present letter.

make sure, I sent this letter to Mr.
Robinson, & I enclose his reply.

The draft showing the location
transferred is among the enclosures
of the order of March 16.
The draft order was in the
it seems necessary to say.

J. H. Jaffray

Rec^d 20^th Inands /60 — N^o 59 @ 62.
" 20^th Coorg " — 73 @ 78
" 11^th July " — 122-152
" 15^th Inands /59 — 33-34
" 28^th Augt /60 — 342 @ 346

34

From the Coll^r of
Combatore D. C Rec^r
18th Oct^r 1860 in Rev.
27th Revt N^o 7247

N^o 497 & 498

Revenue 1860 Depart^t
Pro: of Gov^t for Sept^r

N^o 1929.

From J. Ouchterlony Esq^re

7427/853

Dated 7th September 1860.
Rec^d 11th

N^o 1731 - 28^th Sept^r
Makes certain ob-
servations on the report
made by Mr Thomas,
Coll^r of Coimbatore, on
the valley at Reddi-
yur valley at Reddi-
yur valley, and requests
that any inquiry the
Gov^t may see fit to
institute, may be
entrusted to some
other functionary.

Read & Record
Wrote to Mr Thomas
to send his Report
to Mr Ouchterlony
for his remarks
thereon

Mr Ouchterlony

Fort St. Geo.
28^th Sept^r 1860

To
J. Ouchterlony Esq^re
Collr of Coimbatore
Board of Revenue

N^o 1731

From Mr Ouchterlony's description
of the position of the property referred
to in this letter, it appears clear that
the Collector of Coimbatore has made
an important mistake as to the
meaning of the order of 6th March
1860, N^o 395. That order transferred
a certain tract on the Anaikatties
from Malabar to Coimbatore. But
the transfer was expressly limited
(Paras 2 and 7) to the western crest of
the Plateau: no part of the western
slopes was included. The whole
of the Ghodaloor Valley, in which
Mr Ouchterlony's property appears
to be situated, remains a part
of Malabar.

I have the honour to be
Sir
Your Obed^t Servant
[illegible]
Sec^y to Gov^t