M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1885 — Press / Mis.

27.5.276

Dated 30-9-1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 30th September 1861.

No. 275. Read the following letter from E. B. THOMAS, Esq., Collector of Coimbatore, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Ootacamund, 3rd September 1861, No. 46 :—

SIR,

1. I beg to enclose copy of a letter* from the Assistant Conservator of Forests, and as the matter is (as Major Babington represents it) urgent, I would request early orders from Government to restrict Mr. James McIvor from further spoliation of the Government Forests, pending the legal reference already gone Home.

* Dated 31st August 1861, No. 81.

2. There can be no doubt that Mr. James McIvor's grant never *intended* the cutting, still less the *selling* of Government Forest. Mr. McIvor at the same time entirely failing in and neglecting the avowed objects of his very favorable† grant.

† 10 years free of all rent.

3. Mr. McIvor has felled more than 100 acres of forest, sold the wood, and planted Coffee, already in bearing; all in clear contravention of his original application, and the grant and intention of Government. And where he has lately felled and sold wood (close to Ootacamund) he has no intention of cultivating; in fact he is selling Government wood got for nothing, while every body else, contractor and consumers, are paying highly for it.

4. I need hardly again repeat that if I had power as Government Agent to *give* authority to cut, I had surely power (on Mr. McIvor's abuse being known) to cancel it; but my permission‡ was (as Mr. McIvor's own letter if referred to will show) only on a particular spot, and for a special purpose, a small orchard; and to fell only, not to *sell;* this I have stated on oath in the Sub-Judge's Court, and Mr. McIvor's perversion and abuse of the local and partial permission extracted from me has been gross and unprincipled. As Mr. McIvor will clearly not attend to any injunction of mine, and as the Sub-Court have (I think unwisely) withdrawn its own injunction, I would request early orders for the guidance of the Forest Department, or judging from past conduct, Mr. McIvor will§ make the best of his time in felling and selling all he can of Government property.

‡ See my letter of 11th May 1854, No. 122, to Mr. McIvor.

§ The Assistant Conservator reports to me he is already doing so.

No. 276. ORDER THEREON, 30th September 1861, No. 1,885.

Mr. Thomas will be referred to the orders of Government of the 3rd August 1861, No. 1,541, in which they declared that they would await the issue of the legal proceedings already instituted against Mr. McIvor, in regard to the non-fulfilment of the conditions on which his land was granted to him.

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

Ootacamund
August 19: 1861

No. 593.

To Major Babington
Asst Conservator
Ootacamund

Sir,

In reply to your letter No. 66 of the 17 August 1861, I have the honor to inform you, that the proper course for you to pursue, is to apply to the Collector of Coimbatore to support you, he having withdrawn the permission to cut accorded to Mr. Mc Ivor

2. As Government does not consider a Civil Suit advisable at present, you must fall back upon the Collector having refused permission to fell, and apply to him as a Magistrate to support you

× × ×

I have &c.

True Copy
Signed J. H. Morgan Capt
Asst Conservator of Forests

Signed J. H. Babington Major
Asst Conservator of Forests

No 81- Ootacamund August 31st 1861- 3

To,

The Collector of Coimbatore
Ootacamund-

Sir,

I have the honor to forward Copy of 2 Paras of a letter from Captain Morgan Officiating Conservator of Forests, in reply to one I wrote, stating, that as it was probable the injunction I obtained from the Civil Court restraining Mr J McIver from bringing firewood into the Cantonment, would be removed, I wished to know how I should prevent him from selling firewood-

2 State the liberty of bringing to your notice, that Mr Wilson purchased the right of supplying the station with firewood for a considerable sum, and should we be unable to stop Mr J McIver from bringing in wood

Rs 325 per Annum or Rs 3900 per annum-

"heavy loss will be entailed on the Contractor -
I am leaving out of the question, the Government
order that "Sholas within 3 miles of the "
" Cantonment are not to be cut down; and
as you are aware the Sholas in Mr McIvor's
leased land here are within that distance -

3 In conclusion I beg to remark the
Subordinate Judge yesterday withheld the
injunction, at Mr J McIvor's special
request; the meaning of which is obvious
enough; so I take the liberty of suggesting,
that whatever course is open to stop Mr
J McIvor from felling, no time should
be lost in resorting to it, or much injury
will be done to the Sholas and Govt property
destroyed -

I have &c
(Signed) J H Mr Babington
Asst to Conservator of Forests

(True Copy)
C B Thomas
Clerk

4

that if I had power as Government agent
to give authority to cut, I had surely
power (on Mr Mc Ivor's abuse being
known,) to cancel it - but my permission
was, (as Mr Mc Ivor's own letter if refer-
-red to will show) only on a particular
spot, and for a special purpose, a small
orchard, and to fell only, not to sell; this
I have stated on oath in the Sub Judge's
Court - and Mr Mc Ivor's perversion and
abuse of the local and partial permis-
-sion extracted from me, has been
gross, and unprincipled - as Mr McIvor
will clearly not attend to any injunc-
-tion of mine, and as the Sub Court
have (I think unwisely) withdrawn
its own injunction, I would request
early orders for the guidance of
the Forest Department, or judging
from past Conduct Mr Mc Ivor will
make

see my Letter of 11th May 1854 No 122 to Mr McIvor

The Assistant Conservator reports to me he is already doing so -

make the best of his time in felling and selling all he can, of Government property.

I have the honor to be
Sir,
Your Most Obedient Servant
[illegible]
Collector

No 1885

Mr Thomas will be referred to the Orders of Govt of the 3rd August 1861 in which they declared that they would leave the issue of the legal proceedings already instituted against Mr Mentwar, in regard the non-fulfilment of the conditions on which he was granted to him.

The Collr Coimbatore Pro 5th Sept 61
Govt Pleader
Advocate Genl

Fort St George 30th July 1861

To The Collector of Coimbatore

Sir

I am directed by the Right Honble the Governor in Council to transmit to you the accompanying copy of a letter from the Assistant Engineer in charge of Canals and Tanks requesting early orders for the removal of Government property from Sunkara Polliadoo to Attikut and to request that you will cause the Government property to be removed accordingly.

I am &c
(Signed) [illegible]
Secy to Govt

Read 5th Sept 1861
Ansd 25th Sept 1861