

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	299	Press Mis.
84-85		
Dated	7-2	1869.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
7th February 1861.*

No. 84. Read the following letter from E. B. THOMAS, Esq., Collector of Coimbatore, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated Coimbatore, 30th January 1861, No. 4:—

SIR,

* Board's Proceedings, 5th June	1860, No. 2,662	ence noted in the margin,* I have the
Do. 7th July	" " 3,130	honor to forward copies of letters which
Government Order, 30th "	" " 1,269	have lately passed between my Office,
Board's Proceedings, 31st August	" " 3,975	the Assistant Collector of Ootacamund,
Do. 10th September	" " 4,441	and Major Babington, the Officer newly
Government Order, 22nd December	" " 2,482	appointed as Assistant Conservator for

the charge of the Sholas on the Neilgherry Hills. It will appear from Mr. Nesbitt's letter of the 11th instant, No. 12, that Mr. J. McIvor has, in defiance of orders, resumed cutting wood, which he has no authority to do, and Mr. Nesbitt doubts his power to restrain him. The circumstances connected with his proceedings in cutting wood for Coffee at Holikul, have been so fully reported in my previous letters to the Board, that I think it hardly necessary to recapitulate them; his present spoliation of Government Forest is close to Ootacamund. I would request that some injunction should emanate from Government to prevent Mr. J. McIvor from making further destruction of the forests (within his boundary, but reserved from cutting) pending any legal proceedings against him as directed in the Government Order of the 22nd December 1860, No. 2,482. Mr. McIvor's case shows the necessity of guarding against him, as I hear he threatens to cut much more on his Holikul land, for Coffee.

From W. S. NESBITT, Esq., Assistant Collector of Ootacamund, to E. B. THOMAS, Esq., Collector of Coimbatore, dated Ootacamund, 11th February 1861, No. 12.

SIR,

1. With reference to your letter of the 31st ultimo, No. 376, I acquainted Mr. McIvor that the people employed by him had been prevented from, and forbidden to cut wood. He appeared himself before me on the 7th instant, strongly objecting to this, and denying your right to cancel the permission you had first granted him to cut wood, his argument being as I understood it, that his lease was a Bond, that in accordance with its provisions he first obtained your permission for cutting wood, that such permission having been once granted, it became a part of the Bond, and therefore could not be cancelled by one party only. I deemed it advisable to avoid any collision with him, but warned him not to cut the wood. I have, however, just been informed that he has again resumed the cutting to-day, and I therefore report the matter to you.

2. I find from certain Proceedings† of Government that some correspondence has apparently passed between yourself and the Revenue Board relating to Mr. McIvor's lease of this land, and I would suggest the desirableness of his present proceedings being taken into consideration in any Settlement that may be made as to his future tenure of the land.

† Vide Order of Government, Revenue Department, 22nd December, No. 2,482.

From Major J. H. M. BABINGTON, Assistant Conservator of Forests, to E. B. THOMAS, Esq., Collector of Coimbatore, dated Palghat, 2nd January 1861.

SIR,

1. I have the honor to acknowledge the receipt of your letter No. 63 of the 31st ultimo, and in reply inform you that it is not owing to myself that I have not long ere this assumed charge of my duties as Assistant Conservator of Forests in charge of Neilgherry Sholas, as I have

Ootacamund

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7th February 1861.*

made every effort to induce the District Engineer of Malabar to send some one to relieve me from the charge of one of his Divisions, but up to the present time I have not been successful. As soon as ever I am relieved, I desire to lose no time in assuming charge of my appointment.

2. I take the liberty of forwarding copies of a correspondence with Mr. McIvor on the subject of his felling timber on the Hills, and shall feel obliged by your forwarding me your views on the subject, and letting me know upon what title Mr. J. McIvor holds the Sholas referred to.

From Mr. J. McIVOR, Ootacamund, to Mr. A. FREND, in charge of the Sholas Ootacamund, dated 13th December 1860.

SIR,

1. I beg to state in reply to your letter dated 11th instant, that I hold the authority of the Collector of Coimbatore to fell jungle, but as I have heard Government wish to preserve as much as possible the Sholas around the station, I have not taken advantage of this permission, and have only taken away the dry wood and in a few places have cleared the underwood in the open spaces caused by the natural decay of the forests to facilitate the pitting previous to planting these spaces with Austrilious trees. From your letter under reply I presume you are not aware of the authority I hold to fell jungles; I have, therefore, given you the above information as well as the enclosed copy of that authority.

From E. B. THOMAS, Esq., Collector of Coimbatore, to Mr. J. McIVOR, Ootacamund, dated 11th May 1854.

SIR,

This had reference solely to Holikul Droog, 13 miles from Ootacamund; he is now cutting close to Ootacamund, where he also has land.

woods and forests on the Neilgherry Hills being imperative.

From E. B. THOMAS, Esq., Collector of Coimbatore, to Major J. H. M. BABINGTON, Assistant Conservator of Forests, dated Coimbatore, 7th January 1861, No. 7.

SIR,

1. In reply to your letter of the 2nd instant, No. 2, I beg to send you copies of correspondence showing plainly that Mr. James McIvor has mis-stated and suppressed the real facts of the case.

* Holikul.

2. The permission I once gave in 1854 referred solely to his Estate at Kartery,* which he *proposed* and *professed* to me (personally) only to wish to clear for *agriculture* and crops, Coffee never being thought of nor alluded to.

3. He has since, quite illegally and improperly *felled largely*, for Coffee, on which point Government are taking legal advice, and he has also entirely *suppressed* my later revocation of any permission, under the orders of Government.

4. Mr. McIvor has no right to cut anywhere, and if he does so, can be indicted for appropriating Government property in the Assistant Magistrate's Office at Ootacamund.

From H. CLEGHORN, Esq., Conservator of Forests, to E. B. THOMAS, Esq., Collector of Coimbatore, dated Ootacamund, 20th April 1860, No. 994.

SIR,

1. With reference to our conversation regarding the lease held by Mr. James McIvor, and my report to you of 1st November 1859, No. 827, I shall feel obliged by your revoking the

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7th February 1861.*

permission granted to him in your letter of 11th May 1854, No. 122, as the Orders of Government are imperative and supersede previous regulation.

2. Mr. James McIvor adduces your letter as the sanction of his proceedings although in my opinion it does not excuse him from penalty.

From E. B. THOMAS, Esq., Collector of Coimbatore, to Mr. J. McIVOR, Ootacamund, dated 26th April 1860, No. 135.

SIR,

* Dated 20th instant, No. 994.

With reference to copy of enclosed letter* from the Conservator of Forests, I beg you will understand that any permission to cut trees supposed to be given by my letter of 11th May 1854 is now *cancelled*.

From W. S. NESBITT, Esq., Assistant Collector of Ootacamund, to E. B. THOMAS, Esq., Collector of Coimbatore, dated Ootacamund, 22nd December 1860, No. 214.

SIR,

1. Intimation having been given to me that Mr. James McIvor is improperly cutting wood on some land near Mudlemund, which I understand he holds under a Government lease, I have the honor to request you will be good enough to furnish me with a copy of the said lease, as also to inform me whether he has received any *permission* from you to cut the wood.

2. The above information has been given to me by Mr. Frend, one of the Inspectors of Forests, and he has produced a copy of a letter from you which Mr. McIvor has sent him as (he considers) entitling him to cut the wood.

From E. B. THOMAS, Esq., Collector of Coimbatore, to W. S. NESBITT, Esq., Assistant Collector of Ootacamund, dated Coimbatore, 24th December 1860, No. 370.

SIR,

In reply to your letter of the 22nd instant, No. 214, I beg to inform you that I have given no such permission to Mr. J. McIvor. You should have called on Mr. McIvor to show any such letter, which would have saved this reference.

From W. S. NESBITT, Esq., Assistant Collector of Ootacamund, to E. B. THOMAS, Esq., Collector of Coimbatore, dated Ootacamund, 27th December 1860, No. 221.

SIR,

1. With reference to your letter of the 24th instant, No. 370, I have the honor to inform you that Mr. Frend, who reported to me the circumstance of the wood cutting, has sent me copy of a letter furnished to him by Mr. McIvor, which the latter received from you, dated 11th May 1852. This is the authority which Mr. McIvor produces to Mr. Frend, and relatively to which he writes to him that he has not taken advantage of the permission, but has only taken away the dry wood, and in a few places has cleared away the under brushwood in the open spaces caused by the natural decay of the forests, to facilitate the pitting previous to planting the spaces with Australian trees.

2. I have also written to Mr. McIvor on the subject, and I had not with me the copy of the above letter when I wrote to you, or would have given you its date.

Proceedings of the Madras Government, Revenue Department,
7th February 1861.

From E. B. THOMAS, Esq., Collector of Coimbatore, to W. S. NESBITT, Esq., Assistant
Collector of Ootacamund, dated Coimbatore, 31st December 1860, No. 376.

SIR,

In reply to your letter of the 27th instant, No. 221, I beg to observe that my letter of
11th May 1854 (not 1852) having been greatly abused by Mr. McIvor has been cancelled, and
which Mr. McIvor should have also made known, he has no liberty to cut wood at all.

No. 85.

ORDER THEREON, 7th February 1861, No. 299.

Resolved that the Government Pleader be requested to report what steps he has taken in
pursuance of the Order of December 22nd 1860, No. 2,482. Mr. Dale will be requested to reply
to this Order immediately on its receipt.

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

wood and in a few places have
cleared the underwood in the open
spaces caused by the natural decay of
the Forests to facilitate the putting
previous to planting these spaces with
Australian trees. from your letter
under reply I presume you are not
aware of the authority I hold to fell
Jungles, I have therefore given you
the above information as well as
the enclosed copy of that authority.

I have &c

I signed J. M. Ivor,

(A True Copy)

I signed A. Friend,
Forester.

(A True Copy of a Copy)

I signed J. W. M. Balington, Major,
Sptt Conservator of Forests.

Ootacamund 11th May 1854.

From E. B. Thomas Esq.

Collector of Coimbatore

To
Mr. James M. Ivor

Ootacamund

Mr. Friend reports, Trees &
green wood.

Sir,

6

In reply to your letter of this date, I have only to request that you will spare as much as possible all large Timber on your land, especially near Springs and on the crest of Hills the orders of Government preserve the woods and forests on the Neilgherry Hills being imperative.

I have &c

Signed E. B. Thomas
Collector

(A True Copy)

Signed J. M. Ivor

15th December 1800

A True Copy

Signed A. Friend

Forester

(A True Copy of a Copy)

Signed J. W. M. Babington Major

Aptt Conservator of Forests

(True Copies)

L. B. J.

Collector

This had reference to the
to the Libel Dragg. 12 miles
from Ootacamund - he is now
cutting down the forest
there he also has land -

N^o 214.

Assistant Collector's Office,

Ootacamund 22nd December 1800

From W. S. Nesbitt Esq^r

Assistant Collector

To E. B. Thomas Esq^r

Collector of Coimbatore.

Sir,

Intimation having been given to me that Mr. James M. Ivor is improperly cutting wood on some land near Mallemund which I understand he holds under a Government Lease, I have the honor to request you will be good enough to furnish me with a copy of the said Lease, as also to inform me whether he has received any permission from you to cut the wood.

2. The above information has been given to me by Mr. Friend one of the Inspectors of Forests, and he has produced a copy of a letter from you which Mr. M. Ivor has sent him as he considers, entitling him to cut the wood.

E. B. J.

I have the honor to be

Sir,

Your Most Obedt Servant

I signed / W. S. Nesbitt

Apt. Collector.

Coimbatore Collr's Office,

25th December 1860.

From

E. B. Thomas Esq^r

To

Collector of Coimbatore.

W. S. Nesbitt Esq^r

Sir,

Apt. Collector of Coimbatore

In reply to your letter of the

22nd Instant N^o 214, I beg to inform you

that I have given no such permission

to Mr. J. M. Ivor, you should have called

on Mr. M. Ivor to show any such letter,

which would have saved this reference.

I have the honor to be

Sir,

Your Most Obedt Servant

I signed / E. B. Thomas

Collector.

No 299 Rev Dept

Proceedings of the Madras Government
under date the 7 February 1861.

Read the following
letter from the collector of
Coimbatore

Forwards copy of correspon-
dence between his Office,
Apt. Collr of Coimbatore &
Major Babington on the
subject of cutting wood
by Mr. M. Ivor, and requests
that some injunction should
emanate from Government
to prevent Mr. M. Ivor from
making further destruction
of the Forests -

(Here enter 30
January 1861)

Order thereon 7 Feb 1861 etc

Resolved that the Genl
Mendee be requested to report
what steps he has taken in
pursuance of the order of Decr 22
No 2482 - Mr Dale will be re-
quested to reply to this order
immediately on its receipt.

Copy to the Government Pleader in original

1884
 1885
 1886
 1887
 1888
 1889
 1890
 1891
 1892
 1893
 1894
 1895
 1896
 1897
 1898
 1899
 1900

22nd Dec 1880 1891-92

Copy in a letter to England
of 3 Dec 1881, 1898

58 d/109 +

Ms 84 & 85

2nd Dec 1881 2nd Dec 1881
 2nd Dec 1881 2nd Dec 1881

Ms 299

2nd Dec 1881 2nd Dec 1881
 2nd Dec 1881 2nd Dec 1881

2nd Dec 1881 2nd Dec 1881
 2nd Dec 1881 2nd Dec 1881

On a letter from the
 Collr of Cambridge by the
 subject of cutting wood by
 the willow in the field
 given

No 299.

Resolved that the Com^{rs}

Steward be requested to report what
steps he has taken in pursuance of
the order of December 22nd to No 2482.
The same will be requested & replied to
this order immediately on its receipt.

[Signature]

For D^r Geo.
7 Feb 1881.

Copy to Geo^d Steward
with Reg^d John Neal, Esq^r.

No 30 July 1881 No 3692 371.

No 22 Dec 1881 to No 391-392.

Copy in a letter to G.
of 13th June 1881 No 278

No 84-85

1861 Dec^r Dyak...
No 326

The Director
of Cambridge

The Secretary to Government
No 1890-1891

Post 30th January
1881 Feb 6. 1881-
1 End.

2704-

Forwards Copy of correspondence
between his office, 1881-1882
Colonial and also May or 1881
on the subject of cutting wood
by Mr. Wheeler, and request
that correspondence should be
transmitted from Government to
Hearst the President of the
United States of the Islands
Tamil & Pleading 23
October 1881

No 299-7 1881

4. 9. 1881 No 107