M.R.O. 14-5,459—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1269 Press Mis.

Dated 29-5- 1866.

Not to be folded or roughly handled

No. 500. Read the following letter from Captain E. H. SHORT, Shevaroy Hills, to the Secretary to Government, Madras, dated Yercaud, 18th May 1866:—

In forwarding the enclosed correspondence, I have the honor to request you will be good enough to submit to Government what I consider the extreme simplicity of the case, viz., that a private path through my land taken up by the Engineer for a public road, again abandoned by the Engineer, and for which there is no Government maintenance allowed, reverts to its original purpose; further that from the desire to keep my cattle free from disease, by prohibiting any grazing cattle passing through my land, I put up the notice "No thoroughfare;" and it would appear by the rough sketch of the map enclosed, that the villagers in the neighbourhood have free access to the Malliapoorum Ghát road, without the necessity of trespassing upon my property.

From the Collector of Salem, to Captain E. H. SHORT, Shevaroy Hills, dated Salem, 14th May 1866, No. 326.

I request you will be good enough to inform me, on whose authority you have placed a board on the public road to Mullavee and Mullapoor with a notice "No thoroughfare."

(True Copy.)

(Signed) E. H. SHORT, Captain.

From Captain E. H. SHORT, Shevaroy Hills, to the Collector of Salem, dated Yercaud, 15th May 1866.

In reply to your letter of yesterday's date, desiring to be informed by what authority a board had been placed in the public road to Mullavee and Malliapoorum, with a notice "No thoroughfare," I have the honor to state,

I. The present Malliapoorum Ghát road was originally constructed viâ Major Mann's plantation, and did not at any point approach within seven or eight hundred yards of my land.

II. The narrow road or bridle-path, leading from the Malliapoorum road to, and over a portion of, my land, was originally constructed for my own use, and at my own cost.

III. These roads had been in existence several years, when the Engineer discovered that the line over my land was somewhat shorter than the one by Major Mann's, and prolonged it to join the Malliapoorum road at a point a little distance beyond the village of Mullavee.

IV. The succeeding Engineer disapproved of the alteration, and informed me that the branch line over my land at Mullavee had been abandoned in favor of the original road by Major Mann's estate.

V. The present Engineer Officer, in charge, informed me that there was no Government maintenance allowed for the Malliapoorum Ghát road beyond Mr. Millar's house at Nagatore, and, in fact, gave me to understand that it was abandoned.

VI. The branch road or bridle-path which leads from the Malliapoorum road to, and over a portion of, my land, runs along the declivitous rocky side of a hill, the only convenient approach to my property from Yercaud; and for many years past I have been put to considerable expense and trouble in having constantly to repair damages done by droves of Mallyally cattle passing over, and it would be rather unreasonable to expect me to keep up a road for the convenience of Mallyallies, who never did or could use this line until I had opened it out for my own use; and moreover, at certain periods of the year, when their cattle invariably suffer from Coomaree and other infectious diseases, contagion is thus brought to my own herd.

VII. It is a generally allowed fact that all the infectious diseases which prevail on these hills every year, break out first amongst the Mallyally cattle, and are by them communicated to the

cattle of the planters; and within the last few months I have lost twenty-two head of cattle by disease, no doubt introduced amongst my own herd by Mallyally cattle passing over and grazing on my own land.

VIII. The lines of communication which existed previous to my taking up the land at Mullavee, are still open to the Mallyallies, with the addition of the Malliapoorum Ghât road.

IX. Taking into consideration the facts that the branch line, at least a considerable portion of it, was originally constructed for my own use, and at my own cost; that there is no Government maintenance allowed for its repair; that it has been abandoned by the Engineer; that the repair of damages done by Mallyally cattle passing over involves upon me a considerable annual out; that contagion is constantly brought amongst my own herd by Mallyally cattle passing over it, I am led to the conclusion that this path has reverted to its original purpose, and I feel that I was perfectly justified in putting up the notice board "No thoroughfare."

X. In conclusion, I have the honor to remark that you removed the notice board upon the *ex-parte* statement of Mallyallies and others, without affording me the opportunity of giving any explanation I might wish to offer on the subject; and I observe that your letter is signed as Collector, I should have imagined this was a magisterial case, and that before pulling down my board, you would have conducted an official investigation on the spot, at which I ought to have been present, when I could clearly have pointed out the grounds upon which I put up the board.

XI. I am forwarding a copy of this correspondence, with a rough sketch of the map, to the Secretary to Government, with a view to their being laid before Government.

(True Copy.)

(Signed) E. H. SHORT, Captain.

No. 501. ORDER THEREON, 29th May 1866, No. 1,269.

Miscellaneous.

The Collector will be directed to report whether the roadway, alluded to by Captain Short, existed before the land was made over to him, and if not, whether a right of way has since been acquired by Government, or is essential to the convenience of the public.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Collector of Salem.

Ed. S. T. Augustin.

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29 May 66