

9593/24/99

M.R.O. 1-26,000-16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	2108	Press ~~Mis.~~
93-94 Dated	6-8-	1868

Not to be folded or roughly handled

2108

*Proceedings of the Madras Government, Revenue Department,
6th August 1868.*

No. 93. Read the following letter from the Officiating Conservator of Forests, to the Acting Secretary to Government, Revenue Department, Fort St. George, dated Camp at Ootacamund, 17th July 1868, No. 828 :—

With reference to paragraph 2 of the Government Order, No. 917, of the 7th of April last, I have the honor to inform you that Mr. Lowry has handed over the lease documents, and that Lieutenant Gosling, the Deputy Conservator of the Anamallay Range, has just finished having all the timber felled by Mr. Lowry in the Ponachy Valley collected ; this has been a work of time and difficulty, as it was scattered all over the valley, and he now reports having taken over the following :—

70 Logs	=	2,003	Cubic feet.
362 Sleepers	=	3,369	" "
385 Refuse pieces	=	4,526	" "

Total Cubic feet ... 9,898

This is all the felled timber in the valley ; by the Government Order, No. 197, of the 23rd January last, it will be seen that Mr. Lowry estimated the amount at 1,000 tons (10,000 by mistake in print) or 50,000 cubic feet, which is five times the real amount. I request therefore that you will inform me if the sum of 5,000 should be paid to Mr. Lowry notwithstanding this large discrepancy. In the Government Order just alluded to, I reported that the sum asked by Mr. Lowry for the timber was reasonable, this was, however, on the supposition that his estimate of 50,000 cubic feet was moderately correct. Unless a road is made, I am very doubtful if any of this timber will cover the expense of getting it out of the forest and bringing it down the ghaut, and the refuse pieces certainly would not ; it is all Teak and Blackwood, and if kept safe from fire, it will not deteriorate by remaining in the forest, so that I would not attempt to remove it at present if there is a chance of a road being made up the ghaut.

No. 94. ORDER THEREON, 6th August 1868, No. 2,108.

Forests, No. 3.

The Acting Conservator of Forests should ascertain from Mr. Lowry whether it is in his power to shew that

more than 10,000 cubic feet of timber has been actually felled, and if not, should inform him that the Government will not consider themselves justified in giving him more than Rupees 3,000 as compensation, the grant of Rupees 5,000 having been sanctioned on the strength of Mr. Lowry's statement that the quantity felled was 50,000 cubic feet.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Officiating Conservator of Forests.

Ed. F. R. Bantleman.

Total Cubic feet - 9,898

N^o 828.

Office of Conservator of Forests
Camp Cotacamund 17th July 1868

From

Major R. H. Beddome
Off^r Conservator of Forests.

To

R. A. Dalryell Esq^{re}
As^t Secretary to Government
R. D.

Sir,

With reference to para 2 of the
Govt Order N^o 917 of the 7th of April last,
I have the honor to inform you that
Mr. Lowry has handed over the lease
documents, and that Lieut. Gosling the
Deputy Conservator of the Anamallay
range has just finished, having all
the timber felled by Mr. Lowry in the
Ponachy valley collected, this has been a
work of time and difficulty as it was
scattered all over the valley and he now
reports having taken over the following

70. Logs =	2,003,	Cubic feet.
362. Sleepers =	3,369.	" "
385. refuse pieces =	4,526	" "
Total Cubic feet =	<u>9,898</u>	

This is all the felled timber in the valley;
by the Govt. Order N^o 437 of the 20th of
^{January} December last it will be seen that
Mr. Lowry estimated the amount at
1,000 tons (10,000 by mistake in print) or
50,000 cubic feet which is five times the
real amount I request therefore that
you will inform me if the sum of
5,000 should be paid to Mr. Lowry.
Notwithstanding this large discrepancy.
In the Govt. Order just alluded to
I reported that the sum asked by
Mr. Lowry for the timber was reasonable,
this was however on the supposition that
his estimate of 50,000 cubic feet was
moderately correct. Unless a road
is made I am very doubtful if any
of this timber will cover the expence
of getting ^{it} out of the forest and bringing
it down the ghat and the refuse pieces
certainly

3
certainly would not; it is all Teak and
Blackwood and if kept safe from fire
it will not deteriorate by remaining in
the forest so that I would not attempt
to remove it at present if there is a
chance of a road being made up the
ghat.

I have the honor to be
Sir,

Your Most Obedt. Servt.

R. H. Siddons Majr
Offg. Conservator of Forests.

Rev. Dept.

Memo on No. 2446.
For Orders.

In 1865 Mr. Lowry
was given a forest
contract in a very
inaccessible valley
above the Ponachy
ghat on the Annamallays.
He had purchased
1350 acres of land in
the neighbourhood,
and on application
was allowed to
construct a road up
the ghat, at his own
expense, the land for
the purpose being
granted to him on
condition of his
resigning

Mr. Lowry
Memo on No. 2446

No. 230 Aug 1881 1895-6
7 of 1881 148-9

Perma 1868.
No of Govt for Govt.
Forest Department.

From H. 2446.

The Office of
Forest

To The Secretary
to Govt of M.

Dated 17th July 1881.
Received 18th July 1881.

No. 828.

Enclosure - 10.

Request to know whether
the sum of Rs. 5000 may be
given to Mr. Lowry, who is
his estimate of 5000 ft. is
inclosed with order.

To the Forest 1/2 Rs. 5000
having been submitted on the
17th July 1881. The sum
of Rs. 5000 will be paid.

No. 230 Aug 1881 1895-6
7 of 1881 148-9

The Government of Forest should ascertain
from Mr. Lowry whether it is in his power
to show that the 50,000 acres of timber on
which he based a portion of his claim to
compensation has been actually felled, and if not,
whether he is prepared to forego a proportionate
amount of the time awarded as compensation.
Further to Mr. Lowry.
I must ask the Government
if Mr. Lowry cannot
show that more than 10000 acres of his
claim is not in fact not in the hands
of the Govt. in fact more than Rs. 2000
as compensation.

resigning the road
to Government, on
payment of its cost,
whenever required
to do so.

In 1867 Mr.
Lowry found himself
unable to continue
his forest operations
and proposed the
formation of a
Company to whom
he desired to transfer
his privileges. To this
the Government ob-
jected, as his original
agreement included
personal supervision
in the removal of
the timber. The
Govt. however expressed
their

their willingness to
take over the road
in view to its com-
pletion to the head
of Shant and to pay
Mr. Lowry the amount
of his expenditure upon
it up to date, on
condition of his
resigning his forest
contract.

In reply Mr.
Lowry claimed
Rs. 24,500 as compen-
sation for the
resignation of his
contract. He divided
this sum into
various items, of these
one was Rs. 7,500 actually
expended on the road,
another Rs. 6,000 for
supervision.

supervision of this
work and another
Rs. 3000 being the
cost of felling and
cutting up 1000 tons
of timber.

The Government
then observed that
the claim upon ac-
count of the road
work could only be
decided upon after
the Superintending
Engineer had
inspected the work
done, and though
they considered the
remainder of his
claim to compensa-
tion for resigning
his forest lease somewhat
unreasonable

unreasonable they consented to
pay him Rs 5000 in consideration
of the value of the timber felled.

In February 1868, Mr. Lowry
(who had meantime entered the
P.W. Dept. as had been pro-
posed that he should in the
previous correspondence) accepted
the offer of Govt. which in
order of 7th April 1868 was
declared to have been
"Rs 5000 in compensation for
the surrender of the lease
with the timber already
felled". The question
of compensation for the
road was thus to be se-
parately settled by the
P.W. D. and the plant
and buildings were to be
left to Mr. Lowry.

It appears from the
present
letter that only 9,898 cubic
feet

feet of timber have been felled
by Mr Lowry instead of
50,000 cubic feet (apparently
the equivalent for 1,000 tons)
and Captain Beddome
desires to know whether
under these circumstances
the whole sum of Rs 5,000
is to be paid to Mr Lowry.

As the sum of Rs
5,000 was fixed in considera-
tion of the value of the
timber felled, and as the
cost of felling and cutting
up 200 tons (about the
actual quantity found)
would be only Rs 600 -
instead of Rs 3,000 the
cost of felling and cutting
up 1,000 tons as estimated
by Mr Lowry, the claim
may I think fairly be
reduced by Rs 2,000, leaving

Rs 3,000

Mr Lowry with Rs 600
the cost of the timber and
Rs 2,400 as compensation for
loss of profit.

W.D.

Mr Lowry showed, I
think, he informed of the
result of Captain Beddome's
measurements of the felled
timber and asked whether
it was in his power to show that
the 50,000 ^{cubic feet} or at least he built
one portion of his claim, can
any where or anyhow be
proved to have been felled -
I have however disposed to
consider that even if he
admits his inability now to
establish the fact, (not
anxious to pay him
5,000 Rs) - in the later order is
stated to be for "compensation
for the remainder of the lease
and the timber already felled".
The latter part of the order might
perhaps have been guarded by the
addition of a few words, & it is now
too late to insert, to this effect - "provided
it be found to amount to the value (50,000 cubic feet)
"shipped by Mr Lowry" W.D.
25 July 68

But it was approved
as being the first
of Mr Lowry's

the timber was 50,000
not only 9898
cubic feet of
timber. I would

do as Mr Phillips suggests at
the beginning of his note
and if Mr Lowry cannot prove
that there is more than
10,000 cubic feet of

W.D.

him as I am not
not for him more
than Rs 2000.

Memo:
Mr Lowry's Force

W.A.

Encls

Revenue Department

2008

Proceedings of the Madras Government
Under date the 6th August 1868.

Read the following letter
from the Off^r Conservator of
Forests.

Requests to know whether
the sum of Rs 5000 may be given
to Mr Lowry, altho. his estimate
of 50,000 Off^r is incorrect.

(Here enter 17th July 1868 N^o 828.)

W.A.

W.A.

The A^o Conservator
of Forests should ascertain
from Mr Lowry whether
it is in his power to show
that more than 10,000
cubic feet of timber has
been actually felled, and
if not, should inform
him that the Government
will not consider them.

seems justified in
giving
him more than Rs 3000

as compensation, the
grant of Rs 5,000 having
been sanctioned on the

strength of Mr. Lawry's
statement that the quantity
felled was 50,000 cubic
feet. —

[Signature]

Approved A. A. [Signature]

For the [Signature]

To the [Signature]
13 Copies to the Office of Forests Depty.

[Signature]

[Signature]

10000

and [Signature]

been [Signature]

of [Signature]

him that the [Signature]

will not [Signature]

in [Signature]

been [Signature]

10093-94

13/80
Compensation to Mr. Long

Revenue 1868 & before
No of Govt for any

032108

No of the Meads Govt
of 6 August 1868

The Commission of the 10th
of the 15th of 1862
9018-12/68-3145

Des. 100