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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2778 Press ~~Mis.~~

66-68.
Dated 4-11- No. 1868

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 4th November 1868.

Read the following :—

No. 66. Proceedings of the Board of Revenue, dated 10th October 1867, No. 6,515.

Read the following letter from the Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 13th September 1867, No. 231.

1. In the construction of the Karteri road, some damage was done to Messrs. Hunter and Allan's property. The damage as stated by Mr. Allan, is as follows :—

I. "A number of coffee trees in full bearing have been broken and much "injured by rocks blasted out of the said road, damage done about Rupees 100."

II. "The garden wall is also much broken from the same cause, and will "require about Rupees 50 to repair it."

III. "The Shola land adjoining has been damaged by a large quantity of "earth and stones having been thrown upon it."

IV. "The road has been cut right through this Shola land dividing the "top a good Acre in extent from the lower part, and which upper piece of "land we are willing to give up to Government."

2. This is, I believe, a fair statement of the injury done to the estate.

3. As compensation Mr. Allan asks for a small piece of Government Shola land, (about seven Acres,) situated close to the Karteri ford and on the Hoolicul side of the river. Colonel Walker, Superintending Engineer, whom I addressed on the subject, writes that Major Farewell, who had met Messrs. Hunter and Allan, and discussed with them the subject of compensation, reports that they had waived their claim for money compensation, and that they would be satisfied "As regards "theseven Acres of Shola land asked for by them, with a guarantee that such Shola "shall be declared a Government reserve, not to be felled, and that they shall have "the exclusive right to such water as may flow from the source in the said Shola."

4. From personal knowledge of the locality, I am prepared to recommend a compliance with Messrs. Hunter and Allan's request. The Shola, which lies in a steep gorge, is an isolated one of about six or seven Acres. The stream, running through it, is insignificant in size, and sufficient only to supplement the supply of water to one end of the estate.

5. The use of the water flowing below the point, from which Messrs. Hunter and Allan's channel is taken off by any one else, is unobjectionable.

6. In a few words, Messrs. Hunter and Allan ask, as compensation for damage done to their property, that Government will declare that a certain Shola shall be reserved, and that they (Messrs. Hunter and Allan) shall be guaranteed the use of the water flowing from it.

From Messrs. Hunter and Allan, dated 1st September 1866.
From Superintending Engineer, 7th Division, dated 15th August 1867, No. 53.

7. The marginally noted original correspondence is forwarded for the information of the Board, with a request that it may be returned when no longer required.

From the Superintending Engineer, 7th Division, to the Collector of Coimbatore, dated Coonoor, 15th August 1867, No. 53.

1. With reference to your letter, No. 70, of 3rd May, the enclosures whereof are herewith returned, I have the honor to state that Major Farewell reports that Messrs. Hunter and Allan,

in personal conference with him, have waived their claim to any money compensation for alleged damage done to their estate of Glenmore, and that they will be satisfied as regards the seven Acres of Shola land asked for by them, with a guarantee that such Shola shall be declared a Government reserve, not to be felled, and that they shall have the exclusive right to such water as may flow from the source in the said Shola.

2. I am of opinion that such water-right should be guaranteed them so far as that no land lower down than Glenmore estate shall be supplied from it. But I do not see why land that may be hereafter taken up above that property should not be allowed to benefit proportionally to the acreage for which rent is paid to Government. There is but little such land available.

From Messrs. HUNTER and ALLAN, Coonoor, to the Collector of Coimbatore, dated Glenmore, 1st September 1866.

1. We have the honor to bring to your notice that, in the making of the new Karteri road, considerable damage has been done to the Glenmore property.

I. A number of coffee trees in full bearing have been broken and much injured by rocks blasted out of the said road, damage done about Rupees 100.

II. The garden wall is also much broken from the same cause, and will require about Rupees 50 to repair it.

III. The Shola land adjoining has been damaged by a large quantity of earth and stones having been thrown upon it.

IV. The road has been cut right through this Shola land dividing the top a good Acre in extent from the lower part, and which upper piece of land we are willing to give up to Government.

2. In compensation for the above, we are anxious to have granted to us a small piece of Government Shola land, (about seven Acres,) situated close to the Karteri ford, and on the Hoolicul side of the river, a rough sketch of which is enclosed.

3. Our reason for desiring this Shola is, that the water from which the chief supply for Glenmore is derived takes its rise on this land.

4. As we believe that no party has ever applied for this land, and that no difficulties are in the way of its being granted to us, we trust that Government will give us a speedy settlement of this, as well as the other small claim for compensation due for land taken for Sappers, Barracks.

Enclosure No. 3.—Plan.

The Board are not disposed to give compensation to Messrs. Hunter and Allan in the manner proposed. Such complicated arrangements will inevitably lead to embarrassment and difficulties hereafter.

2. Under the circumstances, the only course which can be adopted is to decide to what amount of *money* compensation Messrs. Hunter and Allan are entitled by arbitration or otherwise.

No. 67. Proceedings of the Board of Revenue, dated 22nd September 1868, No. 6,729.

Read the following papers:—

Board's Proceedings, dated 10th October 1867, No. 6,515.

From the Acting Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 20th August 1868, No. 14.

1. With reference to Proceedings of the Board of Revenue, dated 10th October 1867, No. 6,515, regarding compensation to Messrs. Hunter and Allan, for damage done to their property in the construction of the Karteri road, I have the honor to

Proceedings of the Madras Government, Revenue Department, 4th November 1868.

reply that, on the 27th ultimo, those gentlemen wrote in putting the damage at Rupees 500. I enclose copy of their letter A., and further correspondence, B. and C.

2. On the 13th instant I addressed them letter B., to which they replied with C. Considering that the case has stood over for two years, I trust the Board will accord me sanction to pay these gentlemen 400 Rupees in full of all demands.

Enclosure No. 1, A.

From Messrs. HUNTER and ALLAN, Coonoor, to the Assistant Collector of Ootacamund, dated Glenmore, 27th July 1868.

1. Referring to our conversation on Saturday last, we have the honor to inform you that, as the Board of Revenue are not disposed to grant us land, but insist upon our taking money compensation for injury done to our Glenmore property in the making of the new Karteri road, we value our total claim for damages, (as specified in our letter to the Collector of 1st September 1866,) at the amount of Rupees (500) five hundred.

2. As it is now nearly two years since we applied for this compensation, we trust that this may now be settled without any further delay.

Enclosure No. 2, B.

From the Acting Commissioner of the Neilgherries, to Messrs. HUNTER and ALLAN, Coonoor, dated Ootacamund, 13th August 1868, No. 28.

1. With reference to your letter to Mr. Roupell of the 27th July 1868, assessing the damage done to your land at Rupees 500, the Board, I think, will hardly accept the mere mention of a round sum, without some details showing the way you arrive at the result.

2. In your letter to Mr. Grant, Collector of Coimbatore, of 1st September 1866, you state the damage done under four heads—

I. Coffee trees injured, Rupees 100
II. Garden wall injured, ,, 50
III. Shola land injured.
IV. Road cut through the Shola.

I understand the road through your property to be considerably less than a mile, and if the breadth of land taken up be 50 feet or so, the whole area taken may amount to three or four Acres.

3. The amount, Rupees 350, for III. and IV., seems to me to be somewhat excessive. If you could reconsider the matter, and oblige me with more detail, and put the damage at a somewhat lower figure, I think there will be more hope of a speedier settlement. Please let me have a reply as soon as you conveniently can.

Enclosure No. 3, C.

From Messrs. HUNTER and ALLAN, Coonoor, to the Acting Commissioner, Ootacamund, dated Glenmore, 17th August 1868.

We have the honor to acknowledge receipt of your letter, No. 28, of 13th instant, and in reply we beg to state:—

I. That land fit for coffee cultivation in the immediate neighbourhood of Coonoor is of considerable value, and that lately we bought from Captain Fuller a piece of seven Acres for Rs. 1,250, or about Rupees 178 an Acre. This block is adjoining, and is similar land to that taken up by new Karteri road.

II. The extent of land taken up by said road is, we believe, about four Acres, besides a good Acre damaged by rocks.

III. From this you will see that our claim of Rupees 500 is by no means excessive: but as we are anxious to have this small affair settled *at once*, we will agree to take Rupees 400, and be done with it.

Proceedings of the Madras Government, Revenue Department, 4th November 1868.

ORDERED that the foregoing papers be submitted to Government, with the Board's recommendation that the Commissioner be authorised to pay to Messrs. Hunter and Allan Rupees 400 as compensation for the damage done to their property, and that the above amount be placed at his disposal in the Public Works Department.

2. In a letter, dated 13th September 1867, No. 231, the Collector of Coimbatore reported that, in the construction of the Kateri road, some pecuniary damage was sustained by Messrs. Hunter and Allan, inasmuch as the road passed through the Shola or forest land belonging to their property, cutting off an Acre or more, and thus destroying the compactness of the estate; and a number of coffee trees in full bearing, as also the garden wall, were much injured and broken by the blasting operations necessitated by the construction of the road.

3. The compensation originally asked for by the proprietors was the grant to them of a piece of Government Shola, (about seven Acres,) in which a stream, from which their estate was chiefly supplied, takes its rise.

4. The Collector and Superintending Engineer recommended a compliance with this application, observing that the actual object of the applicants was to move Government to declare that the land sought should be reserved, and that the applicants should be guaranteed the use of the water flowing from it. The Shola, the Superintending Engineer stated, was isolated and situated in a steep gorge, and that the stream running through it was insignificant in size, and sufficient only to supplement the supply of water to one end of the estate; but that if any of the small quantity of land available above that estate were hereafter taken up, the occupants should be "allowed to benefit proportionally to the acreage for which rent is paid to Government."

5. The Board disapproved of this manner of granting compensation, as they believed that it would lead to much embarrassment hereafter, and directed that a money payment should be proposed.

6. The compensation now recommended by the Commissioner, and agreed to by Messrs. Hunter and Allan, appears to the Board to be the best arrangement.

No. 68.

ORDER THEREON, 4th November 1868, No. 2,778.

Miscellaneous.

The Government approve of the arrangement proposed by the Board, and resolve to transfer their Proceedings to the Public Works Department, in view to the necessary funds being, with the least practicable delay, provided for the payment of the proposed compensation, *viz.*, Rupees 400, to Messrs. Hunter and Allan for the damage sustained by their property by the construction of the Karteri road.

(True Extract.)

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

To the Board of Revenue.
,, the Public Works Department.

Exd. F. R. Bantleman.

No. 6,729.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 22nd September 1868.

Read the following papers:—

Board's Proceedings, dated 10th October 1867, No. 6,515.

From J. W. BREEKS, Esq., Acting Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 20th August 1868, No. 14.

1. With reference to Proceedings of the Board of Revenue, dated 10th October 1867, No. 6,515, regarding compensation to Messrs. Hunter and Allan, for damage done to their property in the construction of the Karteri road, I have the honour to reply that, on the 27th ultimo, those gentlemen wrote in putting the damage at Rupees 500. I enclose copy of their letter A., and further correspondence B. and C.

2. On the 13th instant I addressed them letter B., to which they replied with C. Considering that the case has stood over for two years, I trust the Board will accord me sanction to pay these gentlemen 400 Rupees in full of all demands.

ENCLOSURE No. 1, A.

From MESSRS. HUNTER AND ALLAN, Coonoor, to N. A. ROUPELL, Esq., Assistant Collector of Ootacamund, dated Glenmore, 27th July 1868.

1. Referring to our conservation on Saturday last, we have the honour to inform you that, as the Board of Revenue are not disposed to grant us land, but insist upon our taking money compensation for injury done to our Glenmore property in the making of the new Karteri road, that we value our total claim for damages, (as specified in our letter to the Collector of 1st September 1866,) at the amount of Rupees (500) five hundred.

2. As it is now nearly two years since we applied for this compensation, we trust that this may now be settled without any further d elay.

(True Copy.)

(Signed) J. W. BREEKS,
Acting Commissioner of the Neilgherries.

ENCLOSURE No. 2, B.

From J. W. BREEKS, Esq., Acting Commissioner of the Neilgherries, to MESSRS. HUNTER AND ALLAN, Coonoor, dated Ootacamund, 13th August 1868, No. 28.

1. With reference to your letter to Mr. Roupell of the 27th July 1868, assessing the damage done to your land at Rs. 500, the Board, I think, will hardly accept the mere mention of around sum, without some details showing the way you arrive at the result.

2. In your letter to Mr. Grant, Collector of Coimbatore, of 1st September 1866, you state the damage done under four heads—

I. Coffee trees injured, Rupees 100
II. Garden wall ,, ,, 50
III. Shola land ,,
IV. Road cut through the shola.

I understand the road through your property to be considerably less than a mile, and if the breadth of land taken up be 50 feet or so, the whole area taken may amount to 3 or 4 Acres.

3. The amount, Rupees 350, for III. and IV., seems to me to be somewhat excessive. If you could reconsider the matter, and oblige me with more detail, and put the damage at a somewhat lower figure, I think there will be more hope of a speedier settlement. Please let me have a reply as soon as you conveniently can.

(True Copy.)

(Signed) J. W. BREEKS,
Acting Commissioner of the Neilgherries.

ENCLOSURE No. 3, C.

From MESSRS. HUNTER AND ALLAN, Coonoor, to the Acting Commissioner, Ootacamund, dated Glenmore, 17th August 1868.

We have the honour to acknowledge receipt of your letter, No. 28 of 13th instant, and in reply we beg to state—

I. That land fit for Coffee cultivation in the immediate neighbourhood of Coonoor is of considerable value, and that lately we bought from Captain Fuller a piece of 7 Acres for Rs. 1,250, or about Rupees 178 an acre. This block is adjoining, and is similar land to, that taken up by new Karteri road.

II. The extent of land taken up by said road is, we believe, about 4 Acres, besides a good acre damaged by rocks.

III. From this you will see that our claim of Rupees 500 is by no means excessive; but as we are anxious to have this small affair settled *at once*, we will agree to take Rupees 400, and be done with it.

(True Copy.)

(Signed) J. W. BREEKS,
Acting Commissioner of the Neilgherries.

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1. Ordered that the foregoing papers be submitted to Government, with the Board's recommendation that the Commissioner be authorized to pay to Messrs. Hunter and Allan Rs. 400 as compensation for the damage done to their property, and that the above amount be placed at his disposal in the Public Works Department.

2. In a letter dated 13th September 1867, No. 231, the Collector of Coimbatore reported that in the construction of the Karteri road, some pecuniary damage was sustained by Messrs. Hunter and Allan, inasmuch as the road passed through the Shola or forest land belonging to their property, cutting off an acre or more, and thus destroying the compactness of the estate; and a number of coffee trees in full bearing, as also the garden wall were much injured and broken by the blasting operations necessitated by the construction of the road.

3. The compensation originally asked for by the proprietors was the grant to them of a piece of Government Shola, (about 7 acres,) in which a stream, from which their estate was chiefly supplied, takes its rise.

4. The Collector and Superintending Engineer recommended a compliance with this application, observing that the actual object of the applicants was to move Government to declare that the land sought should be reserved, and that the applicants should be guaranteed the use of the water flowing from it. The Shola, the Superintending Engineer stated, was isolated and situated in a steep gorge, and that the stream running through it was insignificant in size and sufficient only to supplement the supply of water to one end of the Estate; but that if any of the small quantity of land available above that Estate were hereafter taken up, the occupants should be "allowed to benefit proportionally to the acreage for which rent is paid to Government."

5. The Board disapproved of this manner of granting compensation, as they believed that it would lead to much embarrassment hereafter, and directed that a money payment should be proposed.

6. The compensation now recommended by the Commissioner, and agreed to by Messrs. Hunter and Allan, appears to the Board to be the best arrangement.

(True Copies and Extract.)

Acting Secretary.

To the Acting Secretary to Government, R. D.,
with copy of Board's Proceedings, dated 10th October 1867, No. 6,515.
,, the Commissioner of the Neilgherries.

Exd. T. Cartledge.

Rev. 1868. Department.
Rec^d of Govt for Mr ...

No. 3137.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 22nd September 1868.

Dep^t Sec^y
Rec^d 29.
E.I.

No. 6,729,

Recommending to Government that Commissioner for Neilgherry Hills be authorized to pay to Messrs Hunter and Allan Rupees 400 as compensation for damage done to their property in construction of Kateri road.

Sanc 2778-4 Rev

Rec^d 69
C: 22/10/68-R3r

No 3137

8th 2778.

2nd Nov. /68

The first appearance of the
encouragement proposed
by the Board and will be
to transfer these Proceedings
to the P.W.D. in order to
the necessary funds being
with the least practicable delay,
provided for the payment
of the proposed compensation
Exp. £1,400
to Messrs Hunter & Allan
for the damage sustain-
ed by their property by
the construction of the
Kanieri Road

W.H.

14 Copies to the Bd of Rev Despatch 5th
20 " " PW Despatch

Govt. of {1868} Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated November, 4th.

Recd.

Encl.

G. O., 4th November 1868, *No.* 2,778.

NOVEMBER.

Nos. 66-68.

Messrs. Hunter and Allan's land on the Neilgherries.—Department of Public Works to provide funds for the proposed compensation for the damage done to the property by the construction of the Kanieri road.

Ex. 13th Despatch from Madras dated 28th 1868.

Revenue 1868 Depty
Pro of Grant for Naval

A. 2778

Pro: of the Madras Grant
Dy 4th November 1868.

Surrender

A. 66767-68