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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1750
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Dated 29. 11. 1875 196 .

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
29th November 1875.*

No. 306. Read the following Proceedings of the Board of Revenue, dated 24th September 1875, No. 2,683, Forest No. 199 :—

Read the following letter from J. R. COCKERELL, Esq., Commissioner of the Nilgiris, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Ootacamund, 4th September 1875, No. 95.

In their Proceedings, Forest No. 176, dated 20th August 1875, No. 2,345, forwarding to Government an application from Mr. Herklots for 10 acres of forest adjoining that part of the Benhope Estate, which lies on the south side of the Coonoor ravine, the Board remark: "The Commissioner's account of the matter is somewhat confused. The plot colored red is apparently the balance of Mr. Breeks's grant which reverted to Government, and to which Mr. Herklots renounced all claim."

2. In my letter in the Proceedings I wrote: "A grant of 100 acres of forest in the Coonoor Ghaut was made to Mr. Herklots as compensation for acres 6, c. 6, p. 11, taken up for the *new ghaut*." This was in 1865.

In 1870 "Benhope" was demarcated, and an appropriation was made from the estate to form a margin for the *old ghaut*. Mr. Breeks without application to Government or any authority whatsoever gave Mr. Herklots 10 acres of land in compensation for this appropriation. The italics are now inserted.

3. The former allotment by Government had nothing to do with the allotment by Mr. Breeks. There was an interval of five years between the two.

4. In 1872 Mr. Herklots through his agent renounced all claim to further appropriation as regards *his claim under the Government grant of 100 acres*.

5. He did *not* renounce the 10 acres granted by Mr. Breeks, nor did he intend to renounce this plot. But the plot inadvertently came to be lumped up with the land renounced out of the 100 acres.

6. Mr. Herklots returning to India at the beginning of the current year detected the mistake that had occurred, and now claims restitution of the 10 acres given by Mr. Breeks.

SUBMITTED to Government in continuation of Board's Proceedings, dated 20th August 1875, No. 2,345, Forest No. 176.

2. The Commissioner of the Nilgiris now explains more clearly that Mr. Herklots considers himself entitled to 110 acres, *viz.*, the original 100 acres, on account of the new ghaut, and 10 acres on account of land taken up for a margin to the old ghaut. The latter, it is said, was included in the grant made by Mr. Breeks, and claim to it was not renounced.

3. On referring to Mr. Breeks's letter (G.O., dated 22nd April 1872, No. 650) the Board observe that the whole extent claimed by Mr. Herklots to be made good is stated at 100 acres (paragraph 3); and the Board are unable to find in the correspondence any reference to a claim on account of the old ghaut. From Mr. Breeks's language, it appears that the assignment he made was on account of the balance of the grant of 1865. It appears, therefore, that the claim now put forward for 10 acres is an after-thought, and, if it had existed in 1870, it would doubtless

*Proceedings of the Madras Government, Revenue Department,
29th November 1875.*

have then been urged. Whether the deed, copy of which was forwarded to Government (G. O., dated 9th August 1872, No. 1,178), is so expressed as to include renunciation of this claim also, the Board cannot say, but they recommend that it be now rejected.

(A true Copy and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

No. 307. ORDER THEREON, 29th November 1875, No. 1,700.

Forests, No. 10.

Vide paragraph 6 of the Commissioner's letter,
21st July 1875, No. 73, in G. O., 20th Sep-
tember 1875, No. 1,381.

THE Government desire to see the
written document in which the late Com-
missioner granted Mr. Herklots 9.50 acres
on account of the reserve for the old ghaut,
and to know whether it was not from the

first a condition of all grants for planting that margins along the roads were to be
reserved.

2. The Commissioner will also give the dates of all Mr. Herklots's several grants
of land.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.
.. the Commissioner of the Nilgiris.

Govt. of 1875 Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated November, 29th.

Recd.

Encl.

G. O., 29th November 1875, No. 1,700.

NOVEMBER.

Nos. 306-307.

Grant of land to Mr. Herklots on account of the reserve for the old ghaut on the Nilgiris.—Desiring to see the written document by which the late Commissioner made a —, and requesting the Commissioner to give the dates of all Mr. Herklots's several grants of land.



FOREST No. 199.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 24th September 1875, No. 2,683.
Read the following letter from J. R. COCKERELL, Esq., Commissioner of the Nilgiris, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Ootacamund, 4th September 1875, No. 95:—

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3. The former allotment by Government had nothing to do with the allotment by Mr. Breeks. There was an interval of five years between the two.

4. In 1872 Mr. Herklots through his agent renounced all claim to further appropriation as regards his claim under the Government grant of 100 acres.

5. He did not renounce the 10 acres granted by Mr. Breeks, nor did he intend to renounce this plot. But the plot inadvertently came to be lumped up with the land renounced out of the 100 acres.

6. Mr. Herklots returning to India at the beginning of the current year detected the mistake that had occurred, and now claims restitution of the 10 acres given by Mr. Breeks.

SUBMITTED to Government in continuation of Board's Proceedings, dated 20th August 1875, No. 2,345, Forest No. 176.

2. The Commissioner of the Nilgiris now explains more clearly that Mr. Herklots considers himself entitled to 110 acres, viz., the original 100 acres on account of the new ghaut, and 10 acres on account of land taken up for a margin to the old ghaut. The latter, it is said, was included in the grant made by Mr. Breeks, and claim to it was not renounced.

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(A true Copy and Extract.)

H. H. H.
Acting Secretary.

To the Acting Secretary to Government, Revenue Department.
Copy to the Commissioner of the Nilgiris.
.. to the Inspector of Forests.

Ed. A. Grubert.

For 22 August 1872 No. 226.
- 9 August 1872 - 66 - 67
- 10 September 1871 - 161 - 162

BOARD OF REVENUE,
MADRAS.

Rev. 1875. Sept.

No. 4029

PROCEEDINGS, 24th SEPTEMBER 1875, No. 2, 683.

24th Sept 1875

Encl.

Vol. 1700 29th Dec 1875

Received 18 October 1875

SEPTEMBER.
Forest No. 199.

Forest land—adjoining the Benhope Estate in Coonoor Ghaut in Nilgiri District.—Commissioner's explanation on certain points in connection with Mr. Herliotes' application for 10 acres of— in addition to the grant already made as compensation for the land taken up through his estate for the new ghaut, submitted to Government with remarks.

Revenue Dept.

Proceedings of the Madras Government.

Under date the 11th Nov 1875

Read the following Proceedings of the Board of Revenue

Introductory remarks
Commissioner's explanation on certain points in connection with Mr. Herliotes' application for 10 acres of forest land adjoining the Benhope Estate in Coonoor Ghaut in Nilgiri District in addition to the grant already made as compensation for the land taken up through his estate for the new ghaut

11.8.24: Sep/95 No. 2683

Govt. may say that before disposing of this matter the Govt. desire to see the written documentation in 2nd the late Commissioner's decision this grant of 10 acres & to know what the condition

The Govt. are unable to make the facts, as was stated, harmonious with the late Commissioner's letter dated 2nd March 1872 No. 28 in

2. Again in his further report, dated 18th May 1872 N. 25, Mr. Becks speaks of the Flack south of the Coonow's ravine and writes of it as measuring 41.37 acres but from Mr. Lockwell's letter of the 21st July last N. 73 p. 5 it must appear that

Issued.
I took for
the dates full
W. H. H. H. H.
H. H. H. H. H.
H. H. H. H. H.
H. H. H. H. H.

I think I have
 all this matter.

The 10 acres was compensation
 for some 10 acres of land
 taken up for the old grant.
 Given in 83. Was shown on a map
 of the land taken for the old grant.
 Eventually it appeared that the land
 given in this location was only some
 60 acres. Took some 80. intended. but
 on the other side of the grant some felling
 was strictly forbidden. Took at first
 a piece of compensation but eventually allowed in 72
 to retain cleared land.

3. The smaller part
is however stated to have
been made in writing, and
as a reference to the original
document referred to will
probably clear matters
up, the Commissioner
will submit it through the
Board of Revenue. He will,
at the same time, give full
particulars regarding him.

Hesketh

Hesketh states on the
plan showing the date on
which each portion was
acquired and the nature
of the land at the time

4. It seems probable
that the old grant was in
existence prior to Mr. Hesketh's
acquisition of the land, and if
so, the grounds on which the
claim for compensation on
account of it was based,
are not apparent.

in full of all
demands on
account of the discrepancy
of the 100 acres.

Subsequently in 70.

Brook's estate was
surveyed & mapped
the old grant running
thence it was demarcated
on a memorial survey
along its old boundary
(aggregating 72 acres)
in compensation for 20
D. Brooke's estate & the
assigned being 9.50
acres. adjoining as is
now asserted the 40 acres
on the south side of the
grant & D. Brooke's estate
objected in 72 to the
locks seen I have been
given in 70. but Mr. Brooke
expressly states that the
block he gave on the
south side of the grant
was on survey found to
be 41.37 acres.

If the 10 acres now
claimed actually adjoined
it, as it is not

improbable may have been
the case. for Mr. Brooke
has given compensation
D. Brooke's estate has given
it all in one block -
I can't understand
how Mr. B. should have
omitted it after it
in his letter in 72 -
for the supposed
compensation should
have aggregated
50 not 40 acres.

The British document
may clear up the doubt.

L.A.

Edw. Brooke

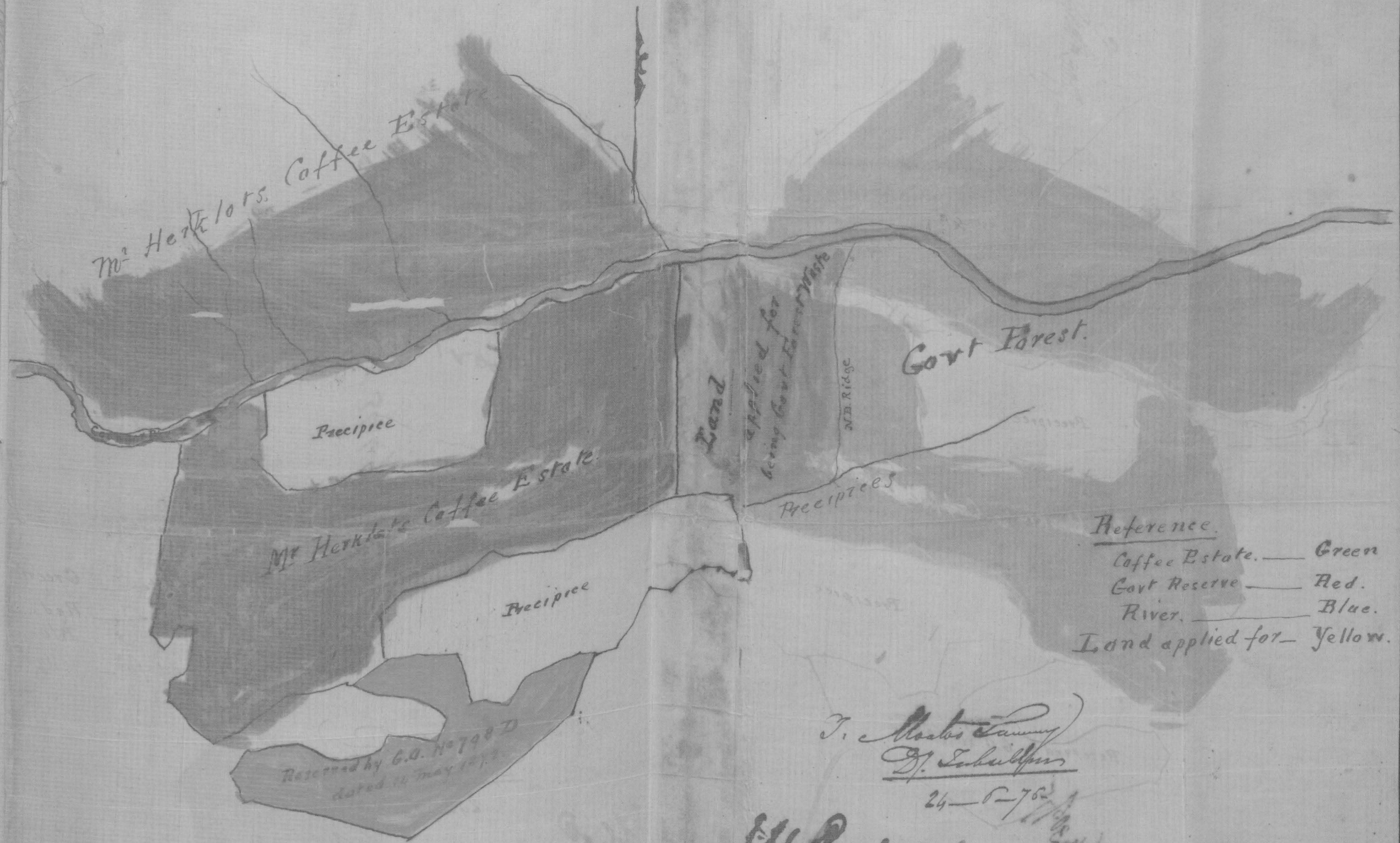
G.O.

Relative to the 10
 acres of land
 joining the Ben-
 hope Estate of
 the 10th of 1872

Cis

No 1700

Perma Dept



Reference.
 Coffee Estate. — Green
 Govt Reserve — Red.
 River. — Blue.
 Land applied for — Yellow.

J. Martin Lanning
 J. Schuller
 24-6-76

E. C. Coker
 J. M. Sciner

Herklots

90

Revenue Dep^{ty}

N^o. 1700

Proceedings of the Madras Government

Under date the 29th Nov^r 1875

Read the following Pro-

ceedings of the Board of

Revenue

Sub^d with remarks Com:
missioner's explanation on certain
points in connection with Mr. Herklots'
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in Coonoor Ghaut in Nilgiri Dis^t.
in addition to the grant already made
as compensation for the land taken
up through his estate for the new
ghaut.

F.E. 24 Sept/75 N^o. 2683.

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vide para-6 of the Commissioner's
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20 Sept/75 N^o. 1381.

Herklots 9.50 acres
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of all grants for planting
that margins along the
roads were to be reserved.

2. The Commissioners
will also give the dates of
all Mr. Herklots' several
grants of land.

111 To the Order of the
of the Commissioners of the

Section
Kelowna 5

G.O.

Land adjoining the
Berkely Estate, ap-
plied for by Mr.
Ben. Klett -

Aspirin
L