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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue. DEPARTMENT

G.O. No.	1714.	Press
B.P. No.		Mis.
Dated	21-7-1876	196

Not to be folded or roughly handled

Claims.

Read the following papers :—

No. 519. *Proceedings of the Board of Revenue, dated 2nd December 1875.*

Read the following letter from R. J. MELVILLE, Esq., Acting Collector of the Chingleput District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, Madras; dated Sydapet, 25th November 1875, No. 684.

Referring to the Board's endorsement on petition, No. 2444 of 1875, presented to them by Rev. F. E. A. D'Souza, Vicar of St. Thomas' Mount, Hill Chapel, I have the honor to state that, as directed by the Board in their endorsement, that gentleman addressed me a petition, dated 5th instant, complaining that the damages done to the flooring and the walls of the church in 1857 by the removal of the guns and gun wagons to the top of the Hill had not been repaired, and requesting that the necessary repairs might be executed at once. In reply, I informed him that I had no funds, and that the interest accruing from Petrus Usca's Charity Fund is intended exclusively for the repair of the steps and the maintenance of the Marmalong bridge. He now forwards me copy of a letter, addressed to the then St. Thomé Bishop, by the Brigadier Commanding the Mount, dated 23rd July 1857, in which the latter officer has guaranteed to make good any damage that might ensue to the church property. I enclose, for the Board's perusal and return, the letter of the Rev. F. E. A. D'Souza, above referred to, with its enclosure, and in the circumstances of the case beg to support his request. Mr. D'Souza is anxious to get the flooring and walls repaired before the visit of His Royal Highness the Prince of Wales, as he thinks that the Prince may visit the Hill.

From the Rev. F. E. A. D'SOUZA, Vicar, Church of St. Thomas' Mount, to R. J. MELVILLE, Esq., Acting Collector of the Chingleput District; dated St. Thomas' Mount, 19th November 1875.

With reference to your letter, No. 414, dated 11th instant, in reply to mine of the 5th giving cover to a petition to the Board of Revenue, I have the honor to solicit your attention to paragraph 2 of my petition, in which I pointed out that the dilapidated condition of the flooring and walls opposite the church and vicarage was occasioned by guns and gun wagons having been brought up the Hill in 1857, during the prevalence of the Bengal Mutiny, also last year the signal guns were removed, which caused great damage to the northern flooring of the church.

2. As the damages were effected by the orders of Government being carried out, I beg to submit that it is not unreasonable that I should expect compensation from the authorities for the same.

3. The state of the walls is in such a state that I am apprehensive of its endangering the safety of the church.

4. I beg to enclose former communications on the subject.

From Brigadier A. E. SHERRIFF, Commanding the Mount, to the Rev. M. F. LOBO, Acting Bishop, St. Thomé; dated Mount, 23rd July 1857, No. 363.

I have the honor to inform you, it is contemplated to erect two or three open batteries of Artillery on the hill—a measure it is hoped will meet with your support at the present period; should any damage be done to your property in placing the guns in position, it shall be repaired without delay.

From the Rev. M. F. LOBO, Acting Bishop, St. Thomé, to Brigadier A. E. SHERRIFF,
Commanding the Mount.

I have the honor to acknowledge the receipt of your letter of yesterday's date, and have much pleasure in most readily consenting to the proposal therein alluded to, for the emergencies of the present period, and hope the indemnification offered in the event of any damage occurring to the property of the church on the Mount will be borne.

2. I think it a temporary measure, but if the batteries shall be sometimes permanently posted, the Government of course must have some consideration for the occupation of the ground, besides the damages done.

Submitted, for the orders of Government. The damage having been caused by the Military Department, the cost of repairing should, if sanctioned by Government, be defrayed from Imperial Funds.

(True Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

Transferred to the Military Department for disposal.

3rd December 1875.

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

No. 6017.

Referred to His Excellency the Commander-in-Chief.

FORT ST. GEORGE,
4th December 1875.

(Signed) A. C. SILVER, Colonel,
Secretary to Government.

No. 520. From Brigadier-General A. HOWLETT, C.B., Quartermaster-General, to Colonel J. MICHAEL, C.S.I., Secretary to Government, Military Department; dated Head Quarters, Ootacamund, 5th June 1876, No. 79.

I have the honor, by desire of the Commander-in-Chief, to return the papers relative to a claim preferred by the Vicar of St. Thomas' Mount Hill Chapel for compensation for damages done to the property by placing guns in position on the Hill in the year 1857, received with reference docket of 4th December last, No. 6017.

2. These papers were referred to the Centre District, and in reply to the inquiries, the Officer Commanding the Mount reported that there was nothing on record in his office to show that any repairs had been executed on the church premises in 1857, or compensation granted, or that any application had been made by the Vicar of the church. He further recommended that the application should be entertained to the extent of the repairs required by the Vicar as set forth in his letter, copy of which is annexed, marked A, dated 29th December 1875.

3. The Officer Commanding Centre District, in submitting the above information, stated that no repairs had been executed by the Public Works Department since 1857, and he was then called on for an estimate of the cost for the repairs proposed to be carried out. This estimate amounted to Rupees 2,835; it provided for the thorough repairing the premises in accordance with the claim of the incumbent of the church, and in submitting the estimate the District Engineer observed

that in the eighteen years which had passed since guns were placed on the Mount, wear and tear of time must have done more injury than the guns could have done.

4. This report being very unsatisfactory, the letter marked B, No. 3017, dated 25th April 1876, was then addressed to the Officer Commanding Centre District, directing a Special Committee should be convened thoroughly to investigate the claim, in personal communication with the Vicar. Their report is now enclosed for the consideration of Government, and in doing so Sir Neville Chamberlain would observe that the placing of guns in position was a step considered necessary at the time as a precautionary measure and for the protection of the station generally. Under these circumstances, His Excellency cannot assent to the proposal made by the Committee that a grant of 500 Rupees should be made by way of compensation for permission to erect the batteries on the Hill at St. Thomas' Mount and for the time they were armed.

A.

From the Reverend F. E. A. D'SOUZA, Vicar of the Church of our Lady of the Expectation, to Captain J. B. TAYLOR, Station Staff Officer; dated St. Thomas' Mount, 29th December 1875.

In reply to your letter, dated 28th instant, I have the honor to state, for the information of the Brigadier-General Commanding the District, that the brick pavement around the church and parsonage was seriously damaged by the heavy guns, howitzers, and heavily-laden carts of ammunition traversing over them. Much damage was also caused to the parapet walls around the church and parsonage, by the firing of the Artillery at the butts to the north of the Hill and at a small hill to the west in front of the steps.

With regard to the steps taken by my predecessors towards repair of these damages, I am unable to give any information, in consequence of no records of correspondence having been kept.

B.

From Brigadier-General A. HOWLETT, C.B., Quartermaster-General, to the Officer Commanding Centre District; dated Fort St. George, 25th April 1876, No. 3017.

I have the honor, by order, to return the enclosures of your No. 50, of 10th April, and to inform you that, while the Commander-in-Chief will most gladly support an application to Government for the remuneration which was guaranteed by Brigadier Sherriff for any damage which might have been done to the Roman Catholic church on the Hill of St. Thomas' Mount in 1857, His Excellency declines to submit a proposal that now, after a lapse of eighteen years, Government should pay the sum of Rupees 2,835 for placing the premises in thorough repair.

2. At this distance of time it is impossible to ascertain the damages to the property by placing the batteries on the hill, but the Rev. Mr. D'Souza, in his letter of 29th December last, to the Staff Officer at the Mount, notices where these damages occurred.

3. The only practical way of coming to any satisfactory conclusion on the subject will be personally to communicate with the Vicar of the church, and ask him to point out what are the damages he attributes to the guns having been placed in position. It is understood that Conductor Spencer, of the Ordnance Department and now at the Mount, was also there in 1857. He very probably will be able to give information on the subject and to name others also of his department who can do so likewise.

4. The Commander-in-Chief will therefore be obliged if you will appoint a Committee of selected officers and furnish them with such detailed instructions as you consider necessary to ensure the enquiry being thoroughly carried out. His Excellency trusts that by this means some fair and equitable settlement may be agreed on both for claimant and Government.

5. An officer of Engineers' Department should be associated with the Committee to estimate for such repairs as they may decide should be undertaken by Government.

*Proceedings of the Madras Government, Military Department,
27th June 1876.*

Proceedings of a Committee ordered to assemble at St. Thomas' Mount, on the 5th May 1876, by order of Brigadier-General T. RAIKES, C.B., Commanding Centre District, for the purpose of investigating into certain claims for remuneration for damages done to the Roman Catholic Church on the Hill at St. Thomas' Mount.

PRESIDENT.

G. LESLIE, Colonel, R.A.

MEMBERS.

J. E. HOPE, Lieut.-Colonel, R.A.

G. W. KNOX, Major, R.A.

PRESENT.

A. C. SMITH, Captain, Executive Engineer.

The Committee having assembled pursuant to order, proceed to—

1. Inspect the state of the brick pavement round the church, and the state of the different parapet walls and buildings.

2. The Roman Catholic Priest who lives on the Mount was present; also Conductor Spencer and Mr. Crother, who were both at this station in 1857, at the time the batteries were erected on the Mount, and the guns, shot, &c., &c., taken up. As the Priest has only been here a few years, and knows little or nothing of what took place, no statement of his can be relied on.

1st Witness.—Conductor Spencer, of the Ordnance Department, Saint Thomas' Mount, states—that he knew the guns and shot, &c., had been taken across the pavement which is round the church.

2nd Witness.—Mr. Crother, son of the late Signal Serjeant Crother, states—the same as Conductor Spencer, the 1st witness.

Committee is of opinion.—There is no doubt that the brick pavement was injured to a certain extent by the guns and carts of shot being taken over it, as the marks of the tracks are visible; but the injuries done in this way only extend over a comparatively small extent of the whole pavement, and it got into its present dilapidated state from wear and tear of years, and there is every probability and appearance that no repairs have been done to the pavement since the church was first erected; it is therefore preposterous that Government should be called upon to put complete new pavement round the church. The parapet walls, which were erected in the year 1857, are all more or less dilapidated, but they do not in any way interfere with the ground and there would be no object in repairing them and none in levelling them; doing either would only be a useless expense. The walls of the church and the buildings about seem quite good, except in one or two places where the foundation wants repairing; they may have been injured to a certain extent, by the firing of the guns on the Mount. Colonel Moberly, R.E., points out that "the wear and tear of 18 years must have done more injury than the guns, &c., ever did," but the Committee are of opinion that this wear and tear has been going on ever since the church was built, not only in the 18 years Colonel Moberly speaks of. It appears however to the Committee that it is only just and reasonable that certain remuneration should be made by Government to the Roman Catholic authorities connected with the Church on the Mount. It was promised by Brigadier-General Sherriff, in Command here in 1857.

The Committee recommends remuneration under the following heads:—

1st.—For the permission to erect the batteries.

2nd.—For the time the batteries were armed and occupied, but the period of which is unknown.

3rd.—For the damage done to the brick pavement.

4th.—For any possible damage that might have been done to the walls by the firing of the guns.

The Committee considers that if Government grants Rupees 500 for permission to erect the batteries; and for the time they were armed Rupees 250 for any damage done to the buildings by the firing of the guns; and Rupees 500 for the damage done to the brick pavement,

*Proceedings of the Madras Government, Military Department,
27th June 1876.*

the remuneration would be ample. They recommend that Government undertake no repairs, but give this sum down in liquidation of all claims.

They further recommend that the Public Works Department make a new ramp for getting the signal guns in and out of the battery, so as to avoid taking them over the brick pavement round the church in future. When the guns want to be revented or replaced, an easement to the battery than going over the pavement could be made at a small expense.

(Signed) G. LESLIE, Colonel,
Royal Artillery. } President

(") J. E. HOPE, Lieut.-Colonel,
Royal Artillery. } Member

(") G. W. KNOX, Major,
Royal Artillery. } Member

(Signed) T. RAIKES, C.B., Brigadier-General,
Commanding Centre District.

No. 521.

ORDER THEREON, 27th June 1876, No. 3216.

His Grace the Governor in Council accepts the recommendation of the Committee in regard to the grant of Rupees 750 as compensation for damage done to the Roman Catholic church and pavement, but concurs with His Excellency the Commander-in-Chief in opinion that a grant for permission to erect the batteries on the hill is inadmissible.

2. The accounts will be good enough to report how this charge is to be met.

(True Extract.)

Colonel,

Secretary to Government.

To the Revenue Department. with 5 spare copies.

" Quartermaster-General.

" Controller of Military Accounts.

To the Secretary Genl on 27 July
Office copy

Ch. 1869
Revenue Dept
Cost of 1876: 311 1/2

MILITARY. V

THE REVENUE DEPARTMENT.

Rs., Ls.,

1 June, 27th.

Rs. 311 1/2

Est.

G.O., 27th June 1876, No. 8216.

S.

JUNE.

Nos. 519-521.

Rs. 311 1/2

Passing order on the claim of the Roman Catholic Year at St. Thomas' Mount to compensate damages done to the church at the English position in 1857.

Ch. 1714

Communicated to the
Military Revenue

21 July, 1876