Secrt. I (1)-E—10,008—7-10-70.

(1) Number of pages 19

(2) Date of repair 25.4.1972

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. 1190 Press

~~B.P. No.~~ ~~Mis.~~

Dated 26.9.1883 ~~197~~.

Not to be folded or roughly handled

PROCEEDINGS OF THE BOARD OF REVENUE.

READ—the following letter from F. BRANDT, Esq., Collector of Nilgiris, to the Secretary to the Board of Revenue, dated Coonoor, 26th July 1883, No. 288:—

I have the honor to lay the following case before the Board, with recommendation that Government be moved to allow exceptional treatment in respect of the applications for land now to be mentioned.

2. One is an application made by Mr. J. C. Grant, Manager of, and on behalf of, the Moyar Coffee Company, another is made by Mr. E. Hamlin, and a third by or on behalf of Mr. O'Donoghue. The land applied for is within the bend taken by the Moyar river after it descends (as the Bykára river) from the plateau, the river here meets the line known as "Richardson's boundary" on the left bank, and then turns north-east and east towards the Mysore boundary. The land asked for lies on the right bank of the river within the loop above described. I append a tracing showing the locality.

3. The Moyar Coffee Company has for several years had an opening and estate within the tract now in question, just opposite to the junction of "Richardson's boundary" and the river.

4. Mr. Grant, on behalf of the Company, applied in October 1882 for 100 acres adjoining the Moyar estate; at first this was asked for "at the upset price," but afterwards under the Settlement Rules. In November following, Mr. Grant asked for 300 acres more under the Waste Land Rules "for coffee and chinchona plantations."

5. In October 1882, Mr. Hamlin asked for 500 acres of land in the same vicinity, and indeed this application covered a great part of that asked for by Mr. Grant. An application was also about the same time put in by Mr. O'Donoghue for some land—area not stated—adjoining that applied for by Mr. Hamlin.

6. It is now necessary to go back a good many years to explain why it has been thought that Mr. Hamlin is entitled to special consideration.

7. In October 1873, Mr. Hamlin applied to the Collector of Malabar for land between the 14th and 16th miles on the Sultan's Battery road—two blocks—one of which was called "Patavâyal;" one of these blocks ("Patavâyal") Mr. Hamlin was in 1874 informed he could have.

8. Mr. Hamlin, in March 1873, had applied for other land called Nedukala or Hanappanshola. This he eventually got under the Waste Land Rules.

Complications arose from another applicant having included in his application the land on the Sultan's Battery road, applied for by Mr. Hamlin. In March 1874, Mr. Hamlin applied for yet another piece of land called "Murrukampádi".

In 1875 there seems to have been confusion as to what the land applied for in 1873 had been.

The papers are very voluminous, and it is no use going into them in great detail.

It is enough to say that between 1874 and 1877 Mr. Hamlin does not seem to have pressed his applications strongly. In 1877, Mr. Logan, Collector of Malabar, explaining to Mr. Hamlin how the confusion had arisen, and that delay had been in part caused by difficulties connected with mining questions, informed Mr. Hamlin that "he could have both lands" (*i.e.*, Murrukampádi and Pataváyal) "*on putta tenure*," *and could take them up at once; that the more he took up the better.* Shortly after this the South-east Wynaad was transferred to this district.

In March 1877, Mr. Hamlin seems to have interviewed the Commissioner of the Nílgiris on the subject; the correspondence was sent for from Calicut. Mr. Hamlin again expressed his wish to take up the two blocks "on putta tenure."

There the matter again rested. In August 1879, Mr. Hamlin, writing to ask for a supply of Calisaya (Ledger.) seed for some 1,400 acres of land in which he had an interest, refers to his application for "Pataváyal" in 1874 and to that application never having been disposed of. In June 1882, the matter was again brought to the notice of the Collector, and the papers were asked for by Mr. Hamlin in order that reference might be made to Government. This the Head Assistant Collector was asked to report in what state the Pataváyal and Murrukampádi lands were, and how, as it appeared, parts of them had been permitted to be broken up and appropriated.

At some time prior to this, as appears from a note left by Mr. Barlow, the latter had promised, in consequence of the great delay and disappointment there had been, and in consequence of Mr. Hamlin's having been led to expect in 1877 that he could have the lands on "Darkhast" (simple application), that special recommendation would be made to Government to allow Mr. Hamlin to have a block of land elsewhere on "Darkhast" (without competition under the Waste Land Rules), in case it turned out that the land before applied for was not then available.

In November 1882, the Head Assistant Collector, after personally inspecting the lands and making thorough inquiries, wrote a very full report on the whole case.

It then appeared that the Pataváyal block had been cut into and spoiled by clearings made by native cultivators to whom pieces were granted on putta, it not being known that this was the block applied for by Mr. Hamlin.

9. As to the "Murrukumpádi" block, in January 1883 Mr. Hamlin informed the Head Assistant Collector that the "land was of no use to him, as he had left that district." I cannot do better than quote part of Mr. Tremenheere's report: "The case then stands thus:" * * * "It is now nine years since Mr. Hamlin applied for one block, eight since he applied for the other, and five-and-a-half since he was promised both, without the trouble and expense of an auction. Yet he has neither. In my opinion this constitutes a proper ground for exceptional treatment." To a great extent I concur. At the same time, I cannot help thinking that it is possible that the vicissitudes through which the South-east Wynaad has passed may have *something* to do with the applications having been at one time pressed and at other not pressed; various industries have at times seemed to promise well—coffee, gold, chinchona; at times the demand for land has been very keen; at other times, it has languished. Still Mr. Hamlin has been put to loss, kept in suspense, and at one time told he could have land on simple application: he has had promises of exceptional treatment, and I recommend that such promises be kept. It is not much use asking him to "select," if after more lengthy inquiries it is likely he may be told the land is reserved.

10. The Pataváyal or Murrukumpádi blocks being then not available or suitable, Mr. Hamlin selected the block of 500 acres near the Moyar river described in paragraph 5 of his letter.

11. Mr. Tremenheere inspected the place and *saw no objection to the grant of the land, so far as the land is concerned,* but could not recommend that Mr. Hamlin should be allowed to have it, because it included the 400 acres applied for by Mr. Grant on behalf of the Moyar Company (*vide* paragraph 4 of my letter above), and the latter have adjacent lands, and the first application was prior in date to that made by Mr. Hamlin, but Mr. Tremenheere suggested that Mr. Hamlin should be allowed, with the sanction of Government, to select another block *elsewhere* to be given without auction.

It did not appear how or by whom Mr. Hamlin supposed that he was promised a block of so much as 500 acres, and Mr. Tremenheere thought that a block of 200 acres was as much as Mr. Hamlin could reasonably ask for.

12. Then reference was made to the Forest Department as to whether this land down near the Moyar could be given or whether it should be reserved.

In February 1883 (on the report of a subordinate alone, as I believe) the applicants were informed by my predecessor that they could not have any of the land applied for, as it was believed that it lay within the boundaries of the proposed Naduvatam Reserve Forest, or "if not, would probably be required to be reserved later on," and it is said "the land is covered with numerous teak, vengay, blackwood and other valuable kinds of reserved trees."

Mr. Grant, in May 1883, begged for reconsideration of this order, representing that in expectation of getting at least 100 acres under the Settlement Rules he had already, on behalf of the Company, expended some 9,000 rupees on bringing water through a made-channel from the Pykára river on to the estate, understanding from Mr. Tremenheere that no objection appeared to giving this land and that the Company's claims were considered superior to Mr. Hamlin's.

13. At the same time Mr. Hamlin put in another letter, in which he protested against the idea that the claims of the Company were superior to his, and again represented that it was useless to ask him again to go and select some other land—he was only to be told in the end that the land is "reserved," when in fact the land was *not* forest land and was situated in a most unhealthy neighborhood, to clear which would be the best thing for all concerned. He asked for a block (as to which I need say no more than that it certainly *is* reserved and cannot be given), and then being informed by me that that block (as to which I have to make another special reference to the Board) could not be given, he personally expressed his readiness to take a block near the Moyar Company's land if allowed to have 500 acres.

14. Seeing that the view taken by Mr. Tremenheere as to the nature and quality of the land and the trees on it differed so entirely from that taken by the Forest Department, and learning a good deal as to the history of the case and the character of this locality from records in the office, I determined to see the place, and was fortunate enough to arrange to go there with the Conservator of Forests, Northern Circle.

15. The conclusion come to by us, after again further reference to Colonel Jago, Deputy Conservator, who also personally inspected the locality some years ago, is, that *there is no reason why this tract should be reserved,* but *that it would probably do much good to have it cleared.*

I append copy of the Conservator's letter to me on the subject, awaiting which has alone delayed this report since visiting the spot.

16. In January 1863, the Collector, Mr. Grant, * wrote to the Board of Revenue and recommended that *the belt of forest on the north, south and east of the Nilgiris at their base and bounded by the Bhavani and Moyar (Pykara) rivers—a dense belt of unhealthy jungles, infested by wild animals*—should be given up *for cultivation on easy terms* to get rid of the *jungle and render the tract healthy and valuable.*

* Board's Proceedings, No. 2142, dated 15th April 1863.

The Board passed no final orders, doubting the wisdom of wishing to locate labor in such an unhealthy place. That the locality is deadly, save to the natives accustomed to it, there is no doubt. A European will not spend a night there for any consideration.

In 1877, the survey and settlement was not proceeded with in this tract on account of its unhealthiness. And I have no doubt that it would be a great benefit to have the place cleared extensively.

That it is not on the slopes as above stated. It is on the flat. The Forest Reserve Commission, in their report (G.O., Revenue Department, dated 20th November 1878, No. 1852), say, paragraphs 11, 12, and 13:

"Regarding the Moyar valley tract we would not propose to reserve anything there. Extensive clearings of the scrub and grass would be beneficial. The growth on the stream margins should be left intact."

Mr. Tremenheere says: "the land is covered with but poor forest, containing a little but inferior teak."

I beg also to refer to G.O., 7th May 1873, No. 460, Revenue Department. This order of Government I have come across since writing this report, while going through other papers connected with Mr. F. A. Groves' Northern-hay and Leighwood Estates which lie in that locality, *i.e.*, between the Moyar River, after it comes down from the slopes, and Musnagudi.

Against all this there is nothing but the report of the Forest Subordinate, Periaswami Pillai.

17. Having then, as I hope, shown that there is no reason why the land should be reserved, I have to ask if Government will be pleased, for reasons above stated, to allow Mr. Hamlin to take a block of this land; and if so, I should state my opinion as to the respective claims of the Moyar Company and of the former gentleman.

18. I think the Moyar Company, as already holding an estate in this locality, is entitled first to have the 100 acres applied for under Settlement Rules, and I see no reason why its application for other 300 *under Waste Land Rules* should be postponed to Mr. Hamlin's claim. But in the peculiar circumstances, I would recommend that both applicants be allowed to take land applied for *'without competition*, simply paying the assessment of Rs. 2 an acre.

19. The Moyar Company having thus taken 400 adjoining their estate, I would recommend that Mr. Hamlin be allowed to take 500 acres on the further side of that taken by the Moyar Company.

Mr. Gamble and I were agreed that there is no necessity to reserve more than the slopes of the hill which terminate above the present clearing of the Moyar Company, and the applicants will understand that the land to be taken must be quite clear of these slopes.

20. Also their grants must not come within seventy-five yards of the river bank, and no trees must be cleared within that reserve, and the river frontage of the respective blocks must not exceed one-half of the depth of the lot.

21. There is yet the application made by Mr. O'Donoghue; but that gentleman has left the country.

Mr. Hamlin says he is authorized to act for Mr. O'Donoghue; but he should get formal evidence to show this. And I do not see that Mr. O'Donoghue is entitled to special consideration. If after the two grants now made there is other land which Mr. O'Donoghue wishes to take, he might have it, in case Government approve my recommendation to encourage the clearing of this valley.

22. Between the Moyar at this point and Musnagudi, there is a tract of similar country in which there are only a few estates or clearings. "Northern-hay" is one, and I believe it would be a good thing to encourage the opening up of this tract. From tradition and from other evidence there seems reason to believe that this country was one far more populous and less malarious than it now is, and I would suggest that the Waste Land Rules be not insisted on here.

As to this, I would refer to Mr. Grigg's Manual, page 357, regarding the Waste Land Rules; he says, "in practice these rules have been confined to the plateau and slopes; *the low-lands towards the slopes and the Moyar river have been heretofore excluded from* their operation, though I am not aware of any special sanction for this procedure.

That procedure I would now ask sanction for in respect of the tract now specially described, at least I ask that the special sanction asked for in respect of the application of the Moyar Company and of Mr. Hamlin may be given.

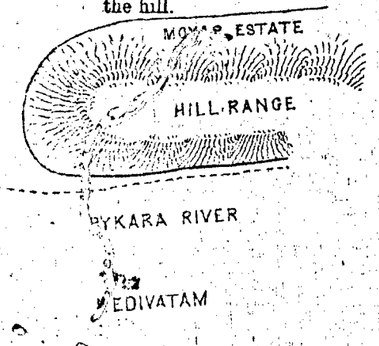
23. As to the channel taken off from the Pykára-Moyar river just above the Moyar Estate, of course the making of this before the land was given could give the Company no claim, but I see no objection to the channel, and understand that without irrigation coffee does not do well there, it will be understood that Government can at any time revoke the license and close the channel, if necessary.

ENCLOSURE No. 1.

From J. S. GAMBLE, Esq., Conservator of Forests, Northern Circle, to the Collector of Nilgiris, dated Madras, 14th July 1883, No. 545:—

With reference to our visit lately to the Moyar Valley, I have the honor to say that I see no objection on the part of the department to the land on the level of the valley near the Moyar Coffee Estate being leased for coffee cultivation.

2. But I would strongly recommend that the slopes be not given up, but the notification of the Naduvatam Block be extended to include the hill range north of the Pykára River, the boundary line being taken well at the foot of the hill.



READ—the following letter from F. BRANDT, Esq., Collector of Nilgiris, to the Secretary to the Board of Revenue, dated Ootacamund, 1st August 1883, No. 292:—

I have the honor to say that the special reference to the Board, referred to in my letter, No. 288, dated 26th July 1883, paragraph 13, was made in my letter, No. 279, dated 21st July 1883, before the former letter was despatched.

2. The land which Mr. Hamlin asked for, and I said he certainly could not have, is that, or part of that, claimed by Mr. C. M. Grant.

3. I send a map obtained from the Survey Office in lieu of the tracing which ought to have accompanied my letter, No. 288, above referred to. I have marked the land below the slopes and within the foot of the slopes, the Moyar river, and the Ooty-Sigúr Road in red pencil.

I have further marked the tract which I recommend to be allowed to the Moyar Company and to Mr. Hamlin in parallel lines with red pencil.

4. I request the map may be returned when done with.

ENCLOSURE No. 1.—Map.

RESOLUTION—dated 23rd August 1883, No. 2491.

Submitted for the favorable consideration and orders of Government.

2. The Board approve the Collector's proposals as made in paragraphs 16 and 17 of the first of his letters read above, viz., that the Moyar Company and Mr. Hamlin be allowed 400 and 500 acres of land, respectively, at an average assessment of Rs. 2, in the locality specified, which it is agreed it is desirable to clear.

3. The Board do not understand what "license" the Collector refers to in paragraph 21 of the same letter. It is presumed that he proposes to give permission to the Moyar Company to retain the channel they have taken off the river without previous leave or license, and in this case they consider that stringent conditions should be laid down, reserving the right of Government to close the channel at any

time they may require to do so, and providing for the levy of a fee (even if it be of a nominal one) for the use of the water while it is permitted, so that the full rights of Government may be acknowledged and reserved.

(True Copies and Extract.)

Acting Secretary.

To the Secretary to Government, Revenue Department, with a map.
Copy to the Collector of Nilgiris.
" Conservator of Forests, Northern Circle.
" " Southern Circle.
" Deputy Conservator of Forests, in charge of Central Office of Accounts.

Ed. A. F. Aaron.

1883.

Board of Revenue,

MADRAS.

GOVERNMENT OF MADRAS
15 SEP 83
REVENUE DEPARTMENT

Printed August th.

Proceedings, 23*rd August* 1883, *No.* 2491.

Submitting, for the favorable consideration and orders of Government, with remarks, letters from the Collector of Nilgiris reporting regarding the grant of certain *lands* to the Moyar Coffee Company, &c.

REVENUE DEPARTMENT.

No. 5567

From Board of Revenue

Dated 23rd August 1883. No 2491

FOR ORDERS.

To the Board of Revenue

(No 5567)

FOR ORDERS.

Grant of certain lands to the Moyar Coffee Comp.y &c.

26TH SEPTEMBER 1883, No. 1190, REVENUE.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 23rd August 1883, No. 2491 :—

Read—the following letter from F. BRANDT, Esq., Collector of Nílgiris, to the Secretary to the Board of Revenue, dated Coonoor, 26th July 1883, No. 288 :—

I have the honor to lay the following case before the Board, with recommendation that Government be moved to allow exceptional treatment in respect of the applications for land now to be mentioned.

2. One is an application made by Mr. J. C. Grant, Manager of, and on behalf of, the Moyar Coffee Company, another is made by Mr. E. Hamlin, and a third by or on behalf of Mr. O'Donoghue. The land applied for is within the bend taken by the Moyar river after it descends (as the Pykára river) from the plateau, the river here meets the line known as "Richardson's boundary" on the left bank, and then turns north-east and east towards the Mysore boundary. The land asked for lies on the right bank of the river within the loop above described. I append a tracing showing the locality.

3. The Moyar Coffee Company has for several years had an opening and estate within the tract now in question, just opposite to the junction of "Richardson's boundary" and the river.

4. Mr. Grant, on behalf of the Company, applied in October 1882 for 100 acres adjoining the Moyar estate; at first this was asked for "at the upset price," but afterwards under the Settlement Rules. In November following, Mr. Grant asked for 300 acres more under the Waste Land Rules "for coffee and chinchona plantations."

5. In October 1882, Mr. Hamlin asked for 500 acres of land in the same vicinity, and indeed this application covered a great part of that asked for by Mr. Grant. An application was also about the same time put in by Mr. O'Donoghue for some land—area not stated—adjoining that applied for by Mr. Hamlin.

6. It is now necessary to go back a good many years to explain why it has been thought that Mr. Hamlin is entitled to special consideration.

7. In October 1873, Mr. Hamlin applied to the Collector of Malabar for land between the 14th and 16th miles on the Sultan's Battery road—two blocks—one of which was called "Pataváyal;" one of these blocks ("Pataváyal") Mr. Hamlin was in 1874 informed he could have.

8. Mr. Hamlin, in March 1873, had applied for other land called Nedukala or Hanappanshola. This he eventually got under the Waste Land Rules.

Complications arose from another applicant having included in his application the land on the Sultan's Battery road, applied for by Mr. Hamlin. In March 1874, Mr. Hamlin applied for yet another piece of land called "Murrukampádi."

In 1875 there seems to have been confusion as to what the land applied for in 1873 had been.

The papers are very voluminous, and it is no use going into them in great detail.

It is enough to say that between 1874 and 1877 Mr. Hamlin does not seem to have pressed his applications strongly. In 1877, Mr. Logan, Collector of Malabar, explaining to Mr. Hamlin how the confusion had arisen, and that delay had been in part caused by difficulties connected with mining questions, informed Mr. Hamlin that "he could have both lands" (*i.e.*, Murrukampádi and Pataváyal) "*on putta tenure*," *and could take them up at once; that the more he took up the better.* Shortly after this the South-east Wynaad was transferred to this district.

In March 1877, Mr. Hamlin seems to have interviewed the Commissioner of the Nílgiris on the subject; the correspondence was sent for from Calicut. Mr. Hamlin again expressed his wish to take up the two blocks "on putta tenure."

There the matter again rested. In August 1879, Mr. Hamlin, writing to ask for a supply of Calisaya (Ledger.) seed for some 1,400 acres of land in which he had an interest, refers to his application for "Pataváyal" in 1874 and to that application never having been disposed of. In June 1882, the matter was again brought to the notice of the Collector, and the papers were asked for by Mr. Hamlin in order that reference might be made to Government. Then the Head Assistant Collector was asked to report in what state the Pataváyal and Murrukampádi lands were, and how, as it appeared, parts of them had been permitted to be broken up and appropriated.

At some time prior to this, as appears from a note left by Mr. Barlow, the latter had promised, in consequence of the great delay and disappointment there had been, and in consequence of Mr. Hamlin's having been led to expect in 1877 that he could have the lands on "Darkhast" (simple application), that special recommendation would be made to Government to allow Mr. Hamlin to have a block of land elsewhere on "Darkhast" (without competition under the Waste Land Rules), in case it turned out that the land before applied for was not then available.

In November 1882, the Head Assistant Collector, after personally inspecting the lands and making thorough inquiries, wrote a very full report on the whole case.

It then appeared that the Pataváyal block had been cut into and spoiled by clearings made by native cultivators to whom pieces were granted on putta, it not being known that this was the block applied for by Mr. Hamlin.

9. As to the "Murrukumpádi" block, in January 1883 Mr. Hamlin informed the Head Assistant Collector that the "land was of no use to him, as he had left that district." I cannot do better than quote part of Mr. Tremenheere's report: "The case then stands thus:" * * * "It is now nine years since Mr. Hamlin applied for one block, eight since he applied for the other, and five-and-a-half since he was promised both, without the trouble and expense of an auction. Yet he has neither. In my opinion this constitutes a proper ground for exceptional treatment." To a great extent I concur. At the same time, I cannot help thinking that it is possible that the vicissitudes through which the South-east Wynaad has passed may have *something* to do with the applications having been at one time pressed and at another not pressed; various industries have at times seemed to promise well—coffee, gold, chinchona; at times the demand for land has been very keen; at other times, it has languished. Still Mr. Hamlin has been put to loss, kept in suspense, and at one time told he could have land on simple application: he has had promises of exceptional treatment, and I recommend that such promises be kept. It is not much use asking him to "select," if after more lengthy inquiries it is likely he may be told the land is reserved.

10. The Pataváyal or Murrukumpádi blocks being then not available or suitable, Mr. Hamlin selected the block of 500 acres near the Moyar river described in paragraph 5 of his letter.

11. Mr. Tremenheere inspected the place and *saw no objection to the grant of the land, so far as the land is concerned*, but could not recommend that Mr. Hamlin should be allowed to have it, because it included the 400 acres applied for by Mr. Grant on behalf of the Moyar Company (*vide* paragraph 4 of my letter above), and the latter have adjacent lands, and the first application was prior in date to that made by Mr. Hamlin, but Mr. Tremenheere suggested that Mr. Hamlin should be allowed, with the sanction of Government, to select another block *elsewhere* to be given without auction

sale. It did not appear how or by whom Mr. Hamlin supposed that he was promised he should have a block of so much as 500 acres, and Mr. Tremenheere thought that a block of 200 acres was as much as Mr. Hamlin could reasonably ask for.

12. Then reference was made to the Forest Department as to whether this land down near the Moyar could be given or whether it should be reserved.

In February 1883 (on the report of a subordinate alone, as I believe) the applicants were informed by my predecessor that they could not have any of the land applied for, as it was believed that it lay within the boundaries of the proposed Naduvatam Reserve Forest, or "if not, would probably be required to be reserved later on," and it is said "the land is covered with numerous teak, vengay, blackwood and other valuable kinds of reserved trees."

Mr. Grant, in May 1883, begged for reconsideration of this order, representing that in expectation of getting at least 100 acres under the Settlement Rules he had already, on behalf of the Company, expended some 3,000 rupees on bringing water through a made-channel from the Pykára river on to the estate, understanding from Mr. Tremenheere that no objection appeared to giving this land and that the Company's claims were considered superior to Mr. Hamlin's.

13. At the same time Mr. Hamlin put in another letter, in which he protested against the idea that the claims of the Company were superior to his, and again represented that it was useless to ask him again to go and select some other land if he was only to be told in the end that the land is "reserved," when in fact the land was *not* forest land and was situated in a most unhealthy neighbourhood, to clear which would be the best thing for all concerned. He asked for a block (as to which I need say no more than that it certainly *is* reserved and cannot be given), and then being informed by me that that block (as to which I have to make another special reference to the Board) could not be given, he personally expressed his readiness to take a block near the Moyar Company's land if allowed to have 500 acres.

14. Seeing that the view taken by Mr. Tremenheere as to the nature and quality of the land and the trees on it differed so entirely from that taken by the Forest Department, and learning a good deal as to the history of the case and the character of this locality from records in the office, I determined to see the place, and was fortunate enough to arrange to go there with the Conservator of Forests, Northern Circle.

15. The conclusion come to by us, after again further reference to Colonel Jago, Deputy Conservator, who also personally inspected the locality some years ago, is, that *there is no reason why this tract should be reserved*, but *that it would be desirable to do much good to have it cleared.*

I append copy of the Conservator's letter to me on the subject, awaiting which has alone delayed this report since visiting the spot.

16. In January 1863, the Collector, Mr. Grant,* wrote to the Board of Revenue and recommended that *the belt of forest on the north, south and east of the Nílgiris at their base and bounded by the Bhávani and Moyar (Pykara) rivers—a dense belt of unhealthy jungles, infested by wild animals*—should be given up *for cultivation on easy terms* to get rid of the *jungle and render the tract healthy, and valuable.*

* Board's Proceedings, No. 2142, dated 15th April 1863.

The Board passed no final orders, doubting the wisdom of wishing to locate labor in such an unhealthy place. That the locality is deadly, save to the natives accustomed to it, there is no doubt. A European will not spend a night there for any consideration.

In 1877, the survey and settlement was not proceeded with in this tract on account of its unhealthiness. And I have no doubt that it would be a great benefit to have the place cleared extensively.

That it is not on the slopes as above stated. It is on the flat. The Forest Reserve Commission, in their report (G.O., Revenue Department, dated 20th November 1878, No. 1852), say, paragraphs 11, 12, and 13:—

"Regarding the Moyar valley tract we would not propose to reserve anything there. Extensive clearings of the scrub and jungle would be beneficial: the growth on the stream margins should be left intact."

Mr. Tremenheere says: "the land is covered with but poor forest, containing a little but inferior teak."

I beg also to refer to G.O., 7th May 1873, No. 460, Revenue Department. This order of Government I have come across since writing this report, while going through other papers connected with Mr. F. A. Groves' Northern-hay and Leighwood Estates which lie in that locality, *i.e.*, between the Moyar River, after it comes down from the slopes, and Musnagudi.

Against all this there is nothing but the report of the Forest Subordinate, Periaswami Pillai.

17. Having then, as I hope, shown that there is no reason why the land should be reserved, I have to ask if Government will be pleased, for reasons above stated, to allow Mr. Hamlin to take a block of this land; and if so, I should state my opinion as to the respective claims of the Moyar Company and of the former gentleman.

18. I think the Moyar Company, as already holding an estate in this locality, is entitled first to have the 100 acres applied for under Settlement Rules, and I see no reason why its application for other 300 *under Waste Land Rules* should be postponed to Mr. Hamlin's claim. But in the peculiar circumstances, I would recommend that both applicants be allowed to take land applied for *without competition*, simply paying the assessment of Rs. 2 an acre.

19. The Moyar Company having thus taken 400 adjoining their estate, I would recommend that Mr. Hamlin be allowed to take 500 acres on the further side of that taken by the Moyar Company.

Mr. Gamble and I were agreed that there is no necessity to reserve more than the slopes of the hill which terminate above the present clearing of the Moyar Company, and the applicants will understand that the land to be taken must be quite clear of these slopes.

20. Also their grants must not come within seventy-five yards of the river bank, and no trees must be cleared within that reserve, and the river frontage of the respective blocks must not exceed one-half of the depth of the lot.

21. There is yet the application made by Mr. O'Donoghue; but that gentleman has left the country.

Mr. Hamlin says he is authorized to act for Mr. O'Donoghue; but he should get formal evidence to show this. And I do not see that Mr. O'Donoghue is entitled to special consideration. If after the two grants now made there is other land which Mr. O'Donoghue wishes to take, he might have it, in case Government approve my recommendation to encourage the clearing of this valley.

22. Between the Moyar at this point and Musnagudi, there is a tract of similar country in which there are only a few estates or clearings. "Northern-hay" is one and I believe it would be a good thing to encourage the opening up of this tract. From tradition and from other evidence there seems reason to believe that this country was one far more populous and less malarious than it now is, and I would suggest that the Waste Land Rules be not insisted on here.

As to this, I would refer to Mr. Grigg's Manual, page 357, regarding the Waste Land Rules; he says, "in practice these rules have been confined to the plateau and slopes; *the low-lands towards the slopes and the Moyar river have been heretofore excluded from* their operation, though I am not aware of any special sanction for this procedure.

That procedure I would now ask sanction for in respect of the tract now specially described, at least I ask that the special sanction asked for in respect of the application of the Moyar Company and of Mr. Hamlin may be given.

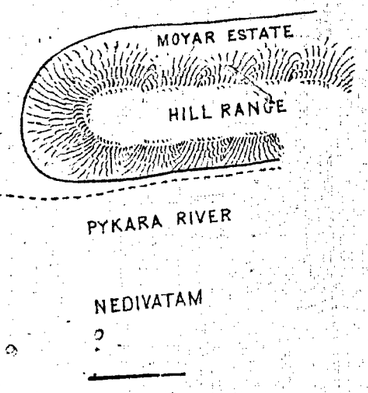
23. As to the channel taken off from the Pykára-Moyar river just above the Moyar Estate, of course the making of this before the land was given could give the Company no claim, but I see no objection to the channel, and understand that without irrigation coffee does not do well there: it will be understood that Government can at any time revoke the license and close the channel, if necessary.

ENCLOSURE No. 1.

From J. S. GAMBLE, Esq., Conservator of Forests, Northern Circle, to the Collector of Nilgiris, dated Madras, 14th July 1883, No. 545:—

With reference to our visit lately to the Moyar Valley, I have the honor to say that I see no objection on the part of the department to the land on the level of the valley near the Moyar Coffee Estate being leased for coffee cultivation.

But I would strongly recommend that the slopes be not given up, but the notification of the Naduvatam Block be extended to include the hill range north of the Pykara river, the boundary line being taken well at the foot of the hill.



READ—the following letter from F. BRANDT, Esq., Collector of Nilgiris, to the Secretary to the Board of Revenue, dated Ootacamund, 1st August 1883, No. 292:—

I have the honor to say that the special reference to the Board, referred to in my letter, No. 288, dated 26th July 1883, paragraph 13, was made in my letter, No. 279, dated 21st July 1883, before the former letter was despatched.

2. The land which Mr. Hamlin asked for, and I said he certainly could not have, is that, or part of that, claimed by Mr. C. M. Grant.

3. I send a map obtained from the Survey Office in lieu of the tracing which ought to have accompanied my letter, No. 288, above referred to. I have marked the land below the slopes and within the foot of the slopes, the Moyar river, and the Ooty-Sígúr Road in red pencil.

I have further marked the tract which I recommend to be allowed to the Moyar Company and to Mr. Hamlin in parallel lines with red pencil.

4. I request the map may be returned when done with.

ENCLOSURE No. 1.—Map.

Resolution—dated 23rd August 1883, No. 2491.

Submitted for the favorable consideration and orders of Government.

2. The Board approve the Collector's proposals as made in paragraphs 16 and 17 of the first of his letters read above, viz., that the Moyar Company and Mr. Hamlin be allowed 400 and 500 acres of land, respectively, at an average assessment of Rs. 2, in the locality specified, which it is agreed it is desirable to clear.

3. The Board do not understand what "license" the Collector refers to in paragraph 23 of the same letter. It is presumed that he proposes to give permission to the Moyar Company to retain the channel they have taken off the river without

previous leave or license, and in this case they consider that stringent conditions should be laid down, reserving the right of Government to close the channel at any time they may require to do so, and providing for the levy of a fee (even if it be only a nominal one) for the use of the water while it is permitted, so that the full rights of Government may be acknowledged and reserved.

(True Copies and Extract.)

(Signed) J. A. DAVIES,
Acting Secretary.

To the Secretary to Government, Revenue Department, with a map.

Copy to the Collector of Nilgiris.
" Conservator of Forests, Northern Circle.
" Conservator of Forests, Southern Circle.
" Deputy Conservator of Forests, in charge of Central Office of Accounts.

ORDER—dated 26th September 1883, No. 1190, Revenue.

Land Revenue, No. 171.

The Collector's proposals, which have the concurrence of the Forest Department and are approved by the Board, are accepted.

(True Extract.)

(Signed) H. E. STOKES,
Ag. Secretary to Government.

To the Board of Revenue, with a map.

Exd. W. H. French.

40 Copies.

19-5-065

28-2-18

Govt. of {1883} Madras.

REVENUE.

Issued

Recd. *Encl.*

G.O., 26th September 1883, No. 1190.

SEPTEMBER.

Grant of certain land

to the Moyar Company and Mr. Hamlin.—Collector's proposals regarding —, accepted.