M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 226 — Press ~~Mis.~~

449-457

Dated 29-1- 1861.

Not to be folded or roughly handled

Read the following papers :—

No. 449. From H. D. RAE, Esq., to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated Kulhutty, 6th November 1860.

SIR,

1. Ill health has prevented my replying ere this to the Proceedings of Government (No. 1,911) of the 19th ultimo, the transmission of which I beg to thank you for, as it gives me the opportunity of meeting the general tenor of Mr. Thomas' remarks regarding myself, and his reference to "Mr. James McIvor's case," in a manner which would seem to impeach my good faith in the matter of my experimental cultivation.

2. Mr. Thomas parenthetically states that I had written *on the* 19*th* September to say that I had "taken possession" of the land. Now, as the Government Order and Government Telegram granting me the land are dated 21st September, we have here the inference, implied by Mr. Thomas, that I had taken possession of the land *two days before the receipt of the Government Telegram*. Mr. Thomas, however, was well aware that possession of the land had actually taken place on the 24th idem; his above extract was from a *withdrawn* letter; its date (the 19th) had been *disallowed* by Mr. Thomas as a date of possession; and, having only been *virtual*, it had consequently been *cancelled* and *withdrawn* by me; and the date of the 24th had, *four days before Mr. Thomas penned the above mentioned parenthetical allusion*, been acknowledged by him as correct in these words.—"You are of course at perfect liberty to do "whatever you have the clear permission of Government for;" all allusion to the date of the 19th was, therefore, both gratuitous and meant to be mischievous; and I cannot too strongly deprecate *any* quotation from a withdrawn letter, far less an isolated extract unaccompanied by details, *and calculated to mislead Government*.

3. Mr. Thomas, in assuming that I was about to convert the forest into seed-beds, forgets that he applied to me only four days before for what he called "necessary information," under the plea to "facilitate my own project," to ascertain, among other matters, "whether for "seed-beds or other purpose" I meant to devote the forest. Ere receiving, however, the "necessary information" from me he assumed a reply which has led him into error; from this error he infers that I have received the forest under something like false pretences, and he proceeds straightway to "facilitate my own project" by reporting me to Government on the grounds of his own erroneous assumption.

4. Mr. Thomas is not "aware how a few days or a few weeks could possibly be so urgent" in my case. He appears to forget that in planting operations the loss of the last rains of the last monsoon of a year is apt to constitute the loss of that year to that operation. I myself applied urgently to Mr. Thomas "a few" *months* back begging that he would grant me possession of a small portion of the land (on full assessment till the terms were determined by Government) that I might not lose the season, but I only met with a distinct refusal, "to anticipate the orders of Government!" Further, believing that a partial loss of a season had been caused by Mr. Thomas to Captain Mann, regarding those of his Tea plants which he has never been able to remove from Mr. Ouchterlony's Coffee plantation, I anticipated nothing but delay and hindrance from Mr. Thomas' action; thereupon, the season being very far advanced,

I applied direct to Government craving "*immediate* possession" as a *sine qua non*, and received a telegraphic reply conceding the terms. I have dwelt at length on this matter, because Mr. Thomas in his letters to me has hinted at and foreshadowed a "possibility" amounting, as I conceive, to an intention on his part (with the opportunity) of throwing every possible obstruction in his power in my path; when, therefore, I may have occasion to claim the protection of Government I trust to receive a patient hearing; otherwise I would rather abandon the land and throw up my project at once than be left to the tender mercies of a Collector who could pen the extraordinary effusion to you under review while actually professing a desire to me to "facilitate my own project!!"

5. Regarding other matters, I think I need hardly point to the utter improbability of my relinquishing the cultivation after pursuing it for *seven* years unless it proved a failure, and I am at a loss to understand how any authority could wish to force the continuance of any private enterprise under such a result; for my heavy loss by that time, in what is acknowledged to be an experiment, would, if it came to a question of right, entitle me to some extraordinary consideration. A fair trial conducted for a series of years and terminating in failure, while under legal stipulations, does not appear to me to bear any analogy to the appropriation of land under false pretences; therefore, in place of inferring this by advertance and otherwise, I think it would have been preferable if Mr. Thomas had tried to prove the analogy. I have only further to observe that *Coffee* could not be profitably cultivated at that elevation, as it is 2,000 feet above the profitable limit assigned to this plant in Ceylon. I can hardly be considered sane in the supposition that I am about to throw away "Rupees 50,000," or any other sum, and deliberately wait seven years for the purpose of carrying out a *present* intention of devoting the land hereafter to some other cultivation.!

6. My "means and intentions" have voluntarily been more or less detailed by me to those who took the most lively interest in my project, viz., to Dr. Cleghorn, Mr. Rhode, Mr. Ouchterlony and others.

7. Mr. Thomas' statistics regarding Tea culture do not, I regret to state, "deserve consideration" even in the matter of seed-beds, for I had lately occasion to quote to Government Dr. Jameson's official statement that Tea required *five thousand* seedlings per acre; in addition to which fact the history of the precarious vitality of Tea seeds shows (to those who *have* command of Tea statistics) that thousands upon thousands of seeds have often been sown in the Himalayas without one ever having germinated!

8. Dr. Cleghorn, to my knowledge, and I believe, sir, also to yours, has a very extensive acquaintance with Tea statistics, which have so little "escaped" his consideration that he has more than once placed reports, &c., before Government which evince a most lively interest on his part in its culture, an interest to which I am deeply indebted, and which, backed by the encouragement I received *through him* from Sir Charles Trevelyan, led me to take up the experiment.

9. From the Proceedings of Government which lately appeared in the Newspapers, Mr. Thomas errs in stating that Captain Godfrey is "asking for land on the usual terms," for the Government Order on that occasion distinctly refused to treat *as exceptional* a case which in effect was, in the opinion of Government, usuality itself. With the cases of "Colonel Woodfall and others" I am unacquainted, but in their connection (as put) with Captain Godfrey's, I am at a loss to understand how my exceptional case can be "made a precedent" for any case not equally exceptional; and Mr. Thomas fails to tell us whether any of these applications have also been for the culture of Tea.

10. As to "the grounds" on which I have been so "especially favored," I think the public may be safely left to gather their information from the Newspapers, and thereby be more "fair and just to *themselves*" than appears to me Mr. Thomas' desire towards me.

11. In concluding I trust Government will oblige me by inserting the name of the Conservator of Forests (acting or permanent), or that of any member of his Department, as the Officer having power of entry with the grant lately made to me; for the Collector of Coimbatore, in his expectation of "possible contingencies," appears to me to alone desire that I should "*relinquish* the Tea experiment."

No. 450. Proceedings of the Board of Revenue, dated 13th November 1860, No. 5,286.

From E. B. THOMAS, Esq., Collector of Coimbatore, to J. D. SIM, Esq., Secretary to the Board of Revenue, dated Coimbatore, 2nd November 1860, No. 204.

SIR,

1. I beg to enclose translation of report from the Tahsíldár of Neilgherry and copy of the two last letters between myself and Mr. Rae. Copy of former correspondence is on the Board's Record.

2. Mr. Rae obtained his grant, chiefly by Telegram, direct from Government; he *took* possession (as stated in his own letter of 28th September 1860) at once of 200 acres of grass land, and is now making "freedom of action" (which I do not quite understand) in the forest.

3. Mr. Rae has forestalled all inquiry by the Revenue authorities as to the locality; he has ignored, as will be seen, any previous claims that may exist; has not indicated *what* land, nor *what part* of the forest he intends to appropriate, and has cut and used (for which permission was not asked nor granted) the forest for his buildings.

4. As Mr. Rae seems to consider himself allowed by Government to be independent of all *usual* rules and restrictions, I beg to be favored with the orders of the Board or Government in Mr. Rae's case. The immunity which he claims for himself has not been allowed to any one else, and may lead to public loss, and private injustice to the ryots, who hold actual Pattás on some of the land which Mr. Rae has appropriated. The latitude and liberty assumed by Mr. Rae would be, I submit, extremely inconvenient, if generally used by all, as it equally may be.

5. I wrote direct to Government because the Telegram came direct, and not through the Board. I request early orders on the subject as the Burghers are loud in their complaints of the usurpation of their land, for any trespass on *which* Mr. Rae *threatens them* with legal proceedings, they being, in simple truth, the *owners*, and *he*, it appears to me, the trespasser.

6. I beg to refer the Board to my letter to Government, dated 8th instant, No. 55, and their Order 19th idem, No. 1,911. I have performed my duty in stating the facts of the case, and if under No. 3 of Mr. Rae's letter of 11th September 1860, the Tea experiment is abandoned, and hereafter the land turned to Coffee, or *sold*, it will not be my fault. I can see no possible ground for the concession asked after seven years, except to *abandon* the experiment, and the *land* will then probably have increased *greatly* in value.

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1. The Telegraphic despatch of Government was intended to enable Mr. Rae to commence those operations connected with his undertaking which might be prejudiced by the delay consequent on the preparation of Title Deeds and other necessary formalities. It did not convey to him authority to take possession of any lands he might think fit, much less of lands belonging to others, and if he has invaded the rights of others he cannot quote that Order in justification.

2. A Title Deed is now under preparation and the Collector should lose no time in calling upon Mr. Rae to point out the exact boundaries of the land he wishes to have in view to their being entered in the Title Deed, provided of course that the lands included within them belong to Government and can be made over to him.

3. The Burghers alluded to can, if so disposed, prefer complaints in the usual manner under the regulations; so far as Government is concerned, care must be taken that no land which does not clearly belong to Government is included in the grant.

(A true Extract and Copy.)

(Signed) W. HUDLESTON. *Sub-Secretary.*

No. 451. From H. D. RAE, Esq., to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated Ootacamund, 16th November 1860.

SIR,

1. I very much regret to have to trespass again on the time of Government in reference to my experimental cultivation of Tea on these Hills; but I hope to stand excused in the consideration that if officially interfered with in such a manner as to create doubt and uncertainty in my mind as to whether I can safely continue operations* on the land which has been selected more than six months ago, whether even I can conduct these in the mode I may deem essential to success, or whether my possession may not be disturbed at any time, and all the fruits of my labor destroyed, I cannot possibly bring that unfettered and confident attention to bear on my undertaking which is so much needed to ensure a profitable issue. This official interference I am meeting with at the hands of the Collector, Mr. Thomas, and as I am conscious of having acted in perfect good faith towards Government in all the negotiations respecting my Tea cultivation, I sincerely trust that, if Government should see reason to regard Mr. Thomas' interference as going beyond what the public interest require, it will be pleased to restrain this in such manner as to Government may seem meet.

* *Which were begun on the 24th September, nearly two months back.*

2. I would beg then briefly to recapitulate what has passed between the Collector and myself up to this time, referring for details, where necessary to be given, to the copies of letters in the Appendix.

3. My letter to you of the 11th September meeting with no telegraphic reply on the 18th, (Council day), or on the 19th idem, I, on the latter date, as the advanced state of the season was also making matters look desperate, thought it important that possession under the previously conceded terms should be had, if at all, immediately. I augured the worst from receiving no telegram; I, therefore, wrote my conditional letter to Mr. Thomas of the 19th idem marked A, but the possession mentioned in it proved to be nominal, as set forth in the 2nd and 3rd paragraphs of the letter marked *D*.

4. Two days afterwards, viz., on the 21st idem, the telegram from Government reached me, conceding the terms I had solicited on the 11th idem. I wrote to Mr. Thomas on the same day (Appendix B), giving him a copy of the telegram, and stating that Government had thereby not only granted me "*immediate* possession" but also of "40 acres of forest without the intervention of the Forester." Pray refer to my letter to you of the 11th September, and you will find that I asked for the above; the telegram, in simply "agreeing to my (your) terms," agreed to all I had asked for; and, having no time whatever to lose, I took instant action, and wrote to the Collector as above, employing the words I have quoted.

5. On the 25th September, viz., *four days after* I received a letter from Mr. Thomas, who, I believe, was then at Coonoor, replying to mine, not of the 21st, (forwarding him the telegram) but of the 19th September. A copy is given in the Appendix marked *C*. It disallowed my possession *of the 19th*, and required me to "await the necessary orders of Government through the usual channel." In my reply to this (*D*) I did not fail† to point out *when* I received it. Mr. Thomas, to this day, has never replied to my letter of the 21st September, sending him copy of the Government telegram; in remaining silent, therefore, regarding the "*immediate* possession" mentioned in it by me, and in having written to me to "await the necessary orders of Government through the usual channel," he clearly desired to disallow any possession not emanating from himself alone, to the ignoring of the Government telegram, which I had officially sent him with all necessary details.

† *Conclusion of paragraph 3, letter D.*

6. In this very letter (*C*) Mr. Thomas in effect admits that, on his receiving "the final orders of Government," MY taking possession of the land under these "final orders" is *not* "premature" or "unusual" on my part. The final orders of Government are dated 21st September. Possession took place under the Government telegram on the 24th September, viz., three days afterwards, one being a Sunday; he was made acquainted with this "actual possession" on the 28th idem (letter *D*) and he had received the said orders of Government of the 21st September ere he wrote to you on the 8th October, for he therein quotes them to you; his, therefore, writing this letter to you of the 8th October, (No. 55), was clearly with the view, as every part of the letter itself also shows, by trying to get Government to "alter" the terms, to receive *other* orders from Government which would then become *the* final orders to the supersession of those of the 21st September under which I had taken possession; his object as clearly being that, under these *wished for* final orders, he might have the power to oust me from my possession under the orders and telegram of the 21st September. Having failed, however, in this, Government will now observe in his letter to me (*G*), what his final step as yet has been.

7. But ere receiving on the 25th September Mr. Thomas' said letter C, I had already taken action on the Government telegram according to my letter B to him of the 21st September. I therefore replied on the 28th idem (*D*) *withdrawing* my letter of the 19th idem, because it had been conditional, and because he had disallowed it, the 19th, as a date of possession. I also showed that (and how) I had taken, under the Government telegram, "actual possession" of the land on the 24th September, and pointed out that I had no desire to ignore his authority or oppose it.

8. Mr. Thomas' rejoinder to me of the 4th October, marked E, is very suggestive. I had just brought him back to the Government telegram and to the authorization accruing therefrom of "*immediate* possession," *so he conceded this point*, as also the actual possession of the land on the 24th September, in these words: "you are of course at perfect liberty to do whatever "you have the clear permission of Government for, whether direct, or through the usual "Officer." This was on the 4th October, or four days before he tried, in his letter to you, No. 55, to get other "final orders" from Government in order to oust me! Then followed, in this same letter E of the 4th October to me, his regret at being "obliged to be as regular and official" as possible, as a prelude to a number of queries, the drift of which I failed then to observe, (but which can now be only too well understood by reading his letter to you of the 8th October, No. 55; for he clearly desired me on the 4th October to commit myself by mentioning my intentions, and thereby give him a fresh handle with which to work in case he failed to get the other "final orders" which he applied to you for on the 8th October. And he felt so certain that I *would* commit myself by answering his queries that he did not hesitate, ere receiving any reply from me, to report me to Government in his said letter to you of the 8th October; and I have already had occasion to point out that in thus reporting me he had to answer for himself a query which he had found it "necessary" to address to me, but did not await!) Then followed, in this letter E to me, a little more of the *suaviter in modo*, to "facilitate my own project," and to remove the wood "under Government orders," which I felt sure he could not have received, because I had applied to Government for "freedom of action in the forest," which had not been denied to me; and orders which he *so far* did not anticipate receiving, because in his said letter to you, of the 8th October, written four days afterwards, he did not apply to you for any such orders "for the removal of the wood." Further, even if I had no "freedom of action," surely matters connected with "removing wood" are more within the province of the Forester's than the *Collector's* Department? The Conservator of Forests and Government once thought thus, *vide* paragraph 5 of the Proceedings of Government, No. 1,422, 23rd August 1860. Why then does the Collector now travel out of his way, unless it is to maliciously clog that very action on my part the "freedom" of which Government "agree to" on the 21st September last, and in effect reiterated in their positive Order of the 19th ultimo?

9. I was very anxious to avoid all further cause of contention; therefore, in my reply of the 12th (*F*) to his of the 4th October (*E*), I carefully evaded all his principal queries, by pointedly alluding to the "freedom of action" which had been "agreed to" by the telegram. I thanked him for his proffered assistance, and offered in turn to escort himself, or Assistant, to the spot.

10. Mr. Thomas, however, had already, four days before, reported me to Government; and he awaited the receipt of the hoped for "final orders." (But, in the Order of Government which you sent me, No. 1,911, of the 19th ultimo, "the Government saw no reason for desiring to alter" the terms, therefore has he now taken up *fresh* ground.) Then followed my becoming acquainted, by the Order of Government just quoted, with Mr. Thomas' letter to you, No. 55 of the 8th ultimo; a commentary on which I had the honor to transmit to Government from Kulhutty on the 6th instant; and now there has been a further interchange of letters between Mr. Thomas and myself, of dates the 6th and 13th instant respectively, copies of which are given in the Appendix (*G* and *H*), and which I beg to submit, without comment, for the consideration of Government in conjunction with all that has preceded.

No. 452. From E. B. THOMAS, Esq., Collector of Coimbatore, to J. D. SIM, Esq., Acting Secretary to Government, Fort Saint George, dated Coimbatore, 23rd November 1860, No. 63.

SIR,

1. As Mr. Rae (copy enclosed) has thought it necessary to refer to Government direct his own views regarding his land, I think it right to offer a few remarks in explanation. If Mr. Rae had submitted, as he should do, the *whole* correspondence instead of the "general tenor," (as viewed by *him*) any explanation by me would have been hardly necessary.

2. Mr. Rae's grant, was acquired by him (by Telegraph) on very favorable terms, and with very little reference to the opinion of the local authorities. It gave me no opportunity to go and see the spot, nor could Mr. Nesbitt he was then especially and urgently engaged in Captain Green's case.

3. All letters from Mr. Rae to my Office had an early and courteous reply. When Mr. Rae offered his escort, I was below, and neither I nor Mr. Nesbitt *able* to attend; but Mr. Rae's knowledge of the hills, of all other European land grants, and his own *great experience* in Revenue matters (paragraph 5 of his letter) must have told him, that when he had fixed the limits *he wished, some* inspection by some local authority was *usual* and *necessary*; and that in fixing those limits, he should not have included (as he *has* done) Burgher holdings, and then take the initiative by "warning off", the old occupants from their own lands; this is the simple *fact*, whatever phraseology may be used.

4. To Mr. Rae's pleading in paragraph 2, I am unable to assent. Government no doubt wished to meet Mr. Rae's professed Tea experiment, liberally and promptly, and such was my own desire; but Government, I conclude, neither intended nor wished to ignore its local Officers, or to allow Mr. Rae to take *possession* and commence "action" irrespective of all local authority or inquiry; and in a way *no other European* on the hills (Mr. J. McIvor *alone* excepted) has ever done or claimed to do.

5. The cutting of the Government wood, alluded to in paragraph 3 of Mr. Rae's, is a simple fact; it was *reported* to me officially by the Tahsíldár, and Mr. Rae in his letter does not deny it. The Government grant, even when completed, will give him no timber for his own private use, unpaid for.—As Government property, its appropriation (reported by the Tahsíldár, and *no one* of the Conservative Department at the time on the hills to look after it), made it my clear duty to do so.

6. I might properly have declined Mr. Rae's occupation and right of commencing work, till some inquiry and Survey, (usual in all other cases), *had been* instituted that I did not do so; was simply owing to my courtesy and desire to facilitate Mr. Rae, a fact which instead of appreciating, he seeks (in paragraph 5) to turn against me moreover, neither I nor Mr. Nesbitt; *knew* what he was about, nor thought he would act so independent of all local authority as he has done.

7. I gave no leave to Mr. Rae to take possession and begin cutting, &c., but only (seeing he was in direct telegraph communication with Government, not through my Office) to do whatever he "had the clear permission of Government for." I was anxious not even to *appear* to hamper Mr. Rae by the *usual* forms and preliminaries, though I by no means saw the especial necessity, in *his* case alone, of such urgent or immediate possession; nor *can* I now think, that Government will *find, seven years hence,* any real or intended Tea plantation on the land they have so very liberally *given* away, while refusing to others of known capital and equal intelligence.

8. Whether I have subjected Mr. Rae to any "captious interference" (paragraph 8), or have only done my duty, and that not rigorously, in endeavouring to guard Government, at a distance, and only half informed, from sacrificing public property and land (as in Mr. J. McIvor's case formerly), Government will be able to judge. Immediately on receipt of Mr. Rae's present letter, I have directed Mr. Nesbitt to go out at once, with the Tahsíldár, to meet Mr. Rae and the Burghers on the spot. I shall forward his report on receipt.

P. S.—To save time, I have sent Mr. Rae's letter for Mr. Nesbitt's perusal, but have requested *him* to send copy *direct* to Government.

(Signed) E. B. THOMAS.

No. 453. From H. D. RAE, Esq., to J. D. SIM, Esq., Acting Secretary to Government, Revenue Department, dated Ootacamund, 12th December 1860.

SIR

1. In continuation of my letters of the 6th and 16th ultimo to Government, regarding my experimental cultivation of Tea, I have the honor to submit* copies of a letter from myself to the Assistant Collector of Ootacamund, and of that Officer's report to the Collector, of dates the 1st and 3rd instant respectively.

* *Herewith annexed.*

2. The Collector of Coimbatore had ordered certain queries to be put to the Burghers, and their replies to be forwarded to him, the result, in the enclosed report, will, I trust, satisfy Government that I have neither knowingly nor unwittingly encroached on *any* rights in proceeding with my sanctioned cultivation.

3. A brief summary of the claims on the grant is herewith appended in the Memorandum annexed; and I have taken the liberty of adding some marginal notes to Mr. Nesbitt's report, which I think will clearly elucidate the entire matter.

From H. D. RAE, Esq., to W. S. NESBITT, Esq., Assistant Collector of Ootacamund, dated Ootacamend, 1st December 1860.

SIR,

1. With reference to your inspection of my land in the Sholoor Valley, made on the 27th ultimo, I have the honor to request you will be so kind as to furnish me with a copy of the report you may make on the subject to the Collector of the District.

2. I ask this on two grounds, firstly, that I was present on the occasion and heard nearly all that passed, and that it appears to me, therefore, but just that I should know how much, or whether all of this, is made subject of report; and, secondly, because, as you are aware, I have already placed the whole subject connected with my land before Government.

3. I must take leave to recall to you that when the Burghers present at your inspection answered the query you put to them, as to whether they had claims on the land selected by me, in the affirmative (which might have been expected as a matter of course), they, on being further questioned, said they were entitled to it on a grazing patta. They admitted that they had not used the land in any way for a period of about, I think, 20 years; because, as they pretended, it was so infested by tigers that they could not do so in safety; and this in the face of the palpable fact that they had been, and are actually employing extensive tracts of land almost immediately contiguous as grazing ground! You, yourself, had ocular demonstration, besides evidence which I have advanced, that the land, so claimed under a grazing patta, was no grazing land at all, but covered with fern and low scrub and scarcely any grass, what little there is being, moreover, in considerable part, unwholesome, being acrid, pungent and unfit for fodder, as Mr. Rohde will be able to testify to you; and also, to my knowledge, positively dangerous to horses, as I have informed you. Further, it was admitted by the Tahsíldár in your presence, that in place of grazing pattas, the present law was the imposition of a tax per head of cattle.

4. I beg, also, to draw your attention to the fact that the 3rd principal man of the village, who had before pretended to me, in conjunction with the present claimant, that he held a culturable claim to the whole valley and that he would sell it to me, was present at the inspection, but held back that his friend might set up this new claim. You also observed that the Kotahs held back till questioned, for reasons which I had previously given you; and that the contumacious objections urged against the opposite bank were advanced not by the Kotahs but by the Burghers who did not claim it! You are aware that the Burghers could not reach the land they claim of me, without crossing land unoccupied by me and previously claimed by the Todas; hence *these* Burghers objection to crossing land equally falsely said to belong to Kotahs must be transparent to you.

5. Further, I should inform you that, on my refusing to purchase the land on the claim to cultivation which was produced to me early in October, both the present and the previous claimant, accompanied by a large body of their brethren, proceeded by stealth to *cultivate* the land within about 100 yards of and below my huts, though I had before pointed out to them my lowest nullah. On being discovered, I at once proceeded to the spot with all my Coolies and insisted on their at once quitting the ground. Two days after, viz., on the 18th October, I officially requested the Tahsíldár to take steps to prevent such trespass in future. Thus on the 16th October both these claimants and the inhabitants of their village tried to *cultivate* the land which they now profess to hold alone under a grazing patta of the time of their grandfathers! therefore they have clearly either attempted to forcibly extort money from me under false pretences or their present claim is invalid: this conclusion is wholly irresistible.

6. All the foregoing facts, as well as those I may have overlooked, and with which you may be acquainted, I trust to see set forth in your report, together with your opinion upon them and upon the general features of the question. I deem myself entitled to look for this at your hands as the Local Revenue Officer of the District; but, if your report is to go no further than the record of the matter, of course answers of Burghers to certain questions put to them, I must respectfully protest against a course, which, in its imperfectness, must be calculated to lead to such grievous misunderstandings.

7. Independent of such further information as I have now for the first time advanced, I trust, at any rate, you will do me the favor to state whether you assent to the correctness of all I have recapitulated.

P. S.—Mr. Rohde will also be able to inform you that I have purchased cattle to afford me manure at the grant, that I have been, and shall be, unable to establish them there till I can grow fodder for them next monsoon; and that I applied to him a month or two back for advice as to the best grass to introduce in that locality.

(True Copy.)

(Signed) H. D. RAE.

From W. S. NESBITT, Esq., Assistant Collector of Coimbatore, Ootacamund, to E. B. THOMAS, Esq., Collector of Coimbatore, dated Ootacamund, 3rd December 1860, No. 188.

SIR,

1. I have the honor to inform you that, in accordance with the instructions conveyed in your letter of the 21st ultimo, No.* I, visited, on the 27th ultimo, with Mr. Rae, the ground where he is engaged in forming a Tea plantation. The Tahsíldár and a large number of Burghers were also present. I now submit a report on the matter.

* 349; which reached me on the 24th idem.

2. The land in question is Government land. Mr. Rae was not able to point out the exact boundaries of what he requires as that can only be laid down by a Surveyor,† but showed me generally its extent and situation.‡ The ground lies on one side of a valley looking at one end to the north-east and at the other to the south-west with a stream running through it. Portions of the high or hilly ground on the north (1) or right side are covered with wood of similar character to the Sholahs in the immediate neighbourhood of Ootacamund (2). The general feature of the ground consists of low scrubby jungle (3) with small patches of open grass and parts covered with fern. About the centre of the valley Mr. Rae has erected four thatched huts for work people, and is now constructing a wattle and dab Bungalow (quite of a rude character) about 60 feet long by 15. The wood which he has used for these structures and the covering frame-work for plants, he has cut from the Sholahs *within* the ground he had applied for. I do not, however, consider it to be of any great value, and certainly hardly (4) worthy of the designation of "timber." The ground about there, and extending north east is stony and rocky, which is requisite for Tea plantation. Two thousand seeds, in a germinating§ state have been planted (5), and the plants are in various stages of growth. Five thousand holes have also (I understood) been dug (6) for further planting. Mr. Rae calculates the extent of ground which he requires at about 4,000 yards in length by 1,000 (7) broad, sufficient to enclose an area of 240 acres. If there is this much on the side of the valley where he now is, he does not wish to cross the stream, but if not, he would require a block of scrubby jungle land on the opposite side and about the centre of the valley, or else more on the side he now is towards its western end. The ground which he chiefly requires is that extending from the stream upwards to the *foot* (8) of the Sholahs on the high land above; where, however, the Sholahs approach the streams the trees would (9) be preserved, as the shade is necessary for the Tea plant; the under brushwood only being cleared way.

3. Abandoned Burgher cultivation appears about ½ mile off (10) to the north east from where he wishes his boundary at the lower end of the valley to be; and on high jungly land nearer,‖ is ground claimed by Todas, with these he has no wish to interfere.

†Exactly as a partly forest tract is measured, its boundaries should be marked then and there for future reference.—H. D. Rae.

‡ A survey can alone show how far 200 acres of one kind of land and 40 of another (when the two are intermixed) will extend. I am myself a Surveyor, but without instruments. I pointed out all I could, viz., 3 sides.—H. D. R.

(1.) No. *South* or right side—See sketch.—H. D. R.
(2.) No. More subtropical types, also two of the tea family.—H. D. R.
(3) In this particular his sketch is very defective.—H. D. R.

(4.) Except uprights mere sticks.—H. D. R.

§ Germinated.—H D. R.
(5.) Planted out *permanently*; there are also thus planted about 1,000 one year old seedlings, &c.—H. D. R.
(6.) No. 1,500—*sum total* 5,000 as yet.—H. D. R
Yards.
(7.) 300 broad. 4,000X300==nearly 240 acres.—H. D. R.

(8.) Generally speaking.—H. D. R.
(9) Where expedient Dr. Jameson states that "*much* shade is not good for the Tea plant."—H. D. R.

(10) This *ocular* evidence is of importance as it wholly vitiates the *oral* evidence of the claimants mentioned in next paragraph marked "B."

‖ *i. e.* the land *intervening* between my boundary at the lower end of the valley and the abandoned Burgher cultivation aforesaid.

(11.) Before Mr. N. and myself at the inspection only *one* Burgher, the Monygar of Sholoor, claimed *all* the land on a patta "of the time of his grandfather."—H. D. R.
(12.) They "alleged" *orally*, and have no *proof* of it.—H. D. R.
(13.) If so, why is there no *ocular* evidence of it? Mark, "they used to cultivate here" in 1848.—H. D. R.
(14.) "B." See Note 10 for the abandoned cultivation is not *here*, but "about ½ mile off," and covered with very old *dodonina* shrubs.
(15,18) See sketch for the "south-east" is *above* the grant, where the only grass is on the tops of "Hills" between two large forests, whereas the
(16.) 5th claimant states (16) that they used to graze "below" i. e. north-east and on this, failing they came "up" to the grant to graze. They contradict each other.—H. D. R.
(17.) Their present grazing ground is *below* or N. E. and that is not either "poor or deficient."—H. D. R.
(19.) This discrepancy regarding there being five and their not being of the date of the Monygar's grandfather should have been noted by Mr. N.; as also that they state their occupancy of it to be of 1848, while the pattas are dated 1858, *only* ten years out!!!
(20) Important admission. See Note 34, where Tahsíldár denies *this* tax per head!! The total of this charge will show the number of cattle which requires 200 acres of "waste or 'grass'" "Government land!"—H. D. R.
(21.) "Identification" being no where they entirely fail to *prove* that their claims apply to *my* land!—H. D. R.
(22.) What native would not for money?—H. D. R.
(23.) "Intended"!!!!!!
(24.) The name is correct; and as it is admitted to be "known," why is it not entered in the pattas? pattas with names other than the correct one are clearly valueless. This is utterly fatal to the substantiation of their claims.—H. D. R.
25.) A house set forth as being at Coonoor is "intended" to be one at Ootacamund! intended too in no less than five different pattas!
(26) Then what becomes of the grazing claim at Moolakalo Sholah Saragoo"?!!
(27.) The land *was* measured by the Tahsíldár on the morning just before the inspection, unknown to Mr. N. or myself!!
(28-30.) So the Curnum can't "prove" that it *was* "intended" or "allotted!"
(29.) Hence the Tahsíldár's measurement!
(31) Of course!
(32) Without which they could cultivate nowhere.
(33.) Truly plastic Curnum!
(34.) The order, I am told, substituted a cattle tax of 2 Annas per head and is dated 1849; and originated in these very same Burghers of Sholoor having claimed, as their grazing ground, the Government Gardens at Kulhutty, six miles from their village!
(35.) If so why has it not been "applied" to Sholoor? So the claims rest on the Tahsíldár's *assertion* that this order of Government has been disobeyed!! But Mr. Nesbitt's words at paragraph 4 are "a charge is also entered of 2 Annas per head for grazing of cows and buffaloes," the Tahsíldár is caught tripping!
(36). "Iyen" is neither Tamil nor Canarese, but a Burgher word, meaning "the very best." How can the land of the grant be *the very best* when it is "stony and rocky which is requisite for Tea plantation?" (see paragraph 2, between my notes 4 and 5) "stony and rocky" land is the last place for the plough. The Burghers pattas are for "punja" or *inferior* soil!

4. The chief objection urged by the Burghers (from five (11) of whom holding pattas and from the Curnum, regarding the accounts, I have taken a short written statement) to Mr Rae's occupation of the ground in question is that it is their grazing ground. They alleged (12) that twelve years ago they used to cultivate here (13) and their cattle then grazed (14) near their own villages to the south-east (15), but as they were taken off by tigers and as (one states) the grass below (16) became poor and deficient (17) they brought their cattle up here (18), changing their previous cultivating land (14) into grazing and *vice versâ*. Five pattas (19) bearing date 31st May 1858 are produced in support of their claims. In these are entered the assessments on various cultivating fields, but one or two of these in each patta are written off as waste or "grass," a deduction of ¾ of assessment being allowed for the same. A charge is also entered of 2 Annas per head for grazing of cows and buffaloes (20). Similar names are given to some of the spots marked "grass" (as also to other fields) so that identification (21) is difficult if not impossible, but the claimants profess (22) that, from long (!) enjoyment, these are the spots intended (23) in the pattas. The Curnum states that the valley is known by the name of Moolookalo Sholáh Saragoo, or Thorny Stony Sholah Valley (24), which indeed is exactly characteristic of it, but this name of the locality is not at all entered in the pattas (25) nor is there any entry in them *granting* the claimants *permission* to graze *in this particular valley* (26). He further states that, there being no measurement (27) of lands, it is not possible to prove (28) from any accounts (29) that this land is alloted for grazing, or that it is the true one intended in the pattas (30); but as he has always (31) seen cattle grazing there and the pattadárs have paid kist (32), he considers it to be the same (33). I understand that an order was issued some time ago abolishing the holding of grazing land on patta (34), but the Tahsíldár states this has not yet been applied to this and some other villages (35), the land being "Iyen" (36).

5. I confess, judging from the general features of the locality, it is one that, unless this claim had been brought, I should have imagined the least likely to have been selected for pasture (37). Mr. Rae pointed out to me some of the grass from eating which his horse had been made very ill, and Mr. Rohde pronounces a specimen of it so acrid and pungent as to blister the stomach of any animal that might eat it (38).

(37) What a miserable opinion have I *wrung* out!
(38.) The Tahsildar repeatedly declared at the inspection that the grass of the locality was "Iyen grass," hence a specimen was sent to Mr. Rohde. Thus, besides the clandestine measurement, we now catch the Tahsíldár tripping for the *third* time. Mr. Nesbtt should have added that there were no cattle droppings there!

6. Another objection advanced to Mr. Rae's occupation is that the foot path from Sholoor to Ootacamund passes through the land, and that its passage might be stopped. Mr. Rae, however, has no objection to its use as a foot path, but not as a cattle way (39). On my asking the Burghers why they could not graze their cattle on the other side of the stream, where the ground appeared to me more open, they said it was occupied (40) by Kottárs (41) who would exercise injurious influence over them (the Burghers) if they came there (42); but some Kottárs were* standing a few yards off when they made so frivolous an excuse, whilst they make this objection to coming on Kottár land they raise none to crossing the intervening land (43) to the north-east claimed by the Todas.

(39.) Because it is a *foot* path and not a *cattle* way. I will give them the use of a road I am about to make. The Sholoor Burghers and I will get on very well together, for I rely on them for labor hereafter.

(40.) They meant *had a grazing claim*. The small Kotah village is 2 miles from this ground.

(41.) The Kotahs are the artisans of the Burghers, their masters. The former are sweeper caste (eat carrion), the latter principally brahmins.

(42.) The Burghers have ANOTHER *foot path* from Sholoor (their village) to Ootacamund through *this very* said-to-be "Kotah grazing land !!"

*On the claimed grant, innocent of their extreme danger from "injurious influence !"

(43r) "Intervening land" not wanted by me, and mentioned as such by Mr. N. at end of paragraph 3 of this letter. Thus they fear no "injurious influence" from the Todas but only from their *servants* the Kotahs !

7. If I may be allowed (44) to express an opinion in this matter, I would say that, considering the progress which Mr. Rae has already made in his operations, (45) necessarily requiring much labor and care, I think any decision which might oblige him to abandon them would be much to be deprecated, not merely as necessarily involving him in much loss, but as calculated also to deter other parties from embarking in similar undertakings, which, however, from their importance, are rather deserving of encouragement.

8. A slight sketch (46) illustrative of the ground and locality described in paragraphs 2 and 3 is annexed.

(44.) Mr. Thomas did not *ask* him for an opinion. Mr. T. has shown a strong animus against me, and he *prejudged* (these Burgher claims) the case against me in his letter to me forming Appendix "G" of my letter to Government of the 16th ultimo; so we now find Mr. T. desiring to have no opinion but *his own* on the Burgher claims! and so just observe how poor Mr. Nesbitt is between two fires; his superior officer on the one hand, and I on the other requiring an opinion from him *as the Inspecting Officer* on the merits of the claims for the information of Government. Observe the middle course steered as follows.

(45.) *An* opinion truly, but there is not a single word on the merits of the claims! "*This* matter" is the Burgher grazing claim to the grant, or nothing. I most respectfully, but indignantly, protest against being recommended to mercy on the score of *expediency*! The Collector *recommended* the concession of the grant to me, and Government "allowed (me) to take" it. I have no other concern, but to defend, as I have tried, the interests of Government. H. D. R.

46.) Herewith appended in original with additions in red ink by me.—H. D. R.

(True Copy.)

(Signed) W. S. NESBITT,
Assistant Collector.

MEMORANDUM.

Without the complicity of the Tahsíldár of Ootacamund and the Curnum of their village, the Burghers of Sholoor, I am of opinion, would never have officially advanced claims to the grant, which show the following features :—

1. That it is a *grazing* claim held on *cultivating* pattas.

2. That they have not cultivated on the grant for twelve years, but the pattas are dated not 1848 but 1858.

3. That if they cultivated on the grant in 1848 there should be ocular evidence of it, but the abandoned cultivation thereabouts is stated by Mr. Nesbitt to be not within but, "about ½ mile off," *without* the grant. The grant being, further, almost entirely covered with scrub jungle of very great age, and, from its being a mass of stones, the land is unfit for the plough; and the said, and only abandoned cultivation, "½ mile off," without the grant, being also of very old date.

4. That they could not graze on the grant, for the little grass there is totally unfit for fodder.

5. That the pattas do not contain the name of the grant, but other names; neither do the pattas contain any permission to graze within the valley where the grant is situated, or probably anywhere else.

6. That an Order of Government, abouf 1849, abolished grazing pattas, and substituted a tax per head of cattle to the supersession of all *claim* on the waste Government land grazed on; a tax which, I am told, originated with these Sholoor Burghers, owing to their having claimed in 1849, as their grazing ground, the land forming the Government Gardens at Kulhutty, six miles north-east from their village (my grant being about two miles to the south-west, or in exactly the opposite direction,) which tax Mr. Nesbitt found on examination had been *paid* by the claimants!

7. That on another important point, as to where the Burghers used to graze formerly, and why they were obliged to abandon that locality and bring their cattle to graze on the grant, the claimants not only contradict each other, but also each advance reasons which will not bear sifting, as follows :—

(1.) Four state that the cattle used to graze close by to the south-east or above the grant; but, as they were carried off by tigers, they were obliged to bring them *down* to the grant. But the south-east is ground claimed by the Todas; and if there be tigers in the open grass there, they could much more easily carry off the cattle when brought to the scrub jungle below.

(2.) The fifth claimant states, that they used to graze to the *north-east*, or *down below*, and brought their cattle "*up*" to the grant "as the grass below became poor and deficient." To the north-east, or down below the grant, is where they now graze and have grazed for the last 16 years, as I can bring an European witness to prove. The grass there is not only not (and has not been) "poor and deficient," but, even rejecting the testimony regarding the tigers, also, they could not have brought their cattle up (or down) to the grant for the all-sufficient reason that Mr. Nesbitt, from an inspection of the grant, states it to be "the least likely to be selected for pasture."

8. That about two months ago *one* of the Burghers of Sholoor, in company of the Monygar and a large number of villagers, offered to sell me the whole valley as the *sole* Pattádar; that at the inspection by Mr. Nesbitt the Monygar aforesaid *himself* ALONE claimed the grant on a patta which he said was "of the time of his grand-father;" but that next day in Mr. Nesbitt's Office, no less than *five* claimants turned up with pattas bearing a remarkable correspondence with each, especially as regards a date of only 2½ years ago. And the fact should be here noted that the Collector of Coimbatore is often in the habit of affixing (or permitting) not his signature but a *stamp* of his name to official documents. I have seen three of these of the most rude manufacture, and by no means *fac-similes* of each other.

9. The complicity I have mentioned is, I think, shown as follows :—

(1.) The Curnum had "always *seen* cattle grazing there" (in the grant), "and as the Pattádars had always paid kist," he considered, while he lamented the absence of *proof* that the grant was the locality "*intended*" in the pattas, that the *cultivating* pattas were *intended* as being equally grazing ones, and that it was *intended* that the grant had been "allotted" for

grazing. The Tahsíldár, in like manner, repeatedly stated that it *was* grazing ground, because it was "*Iyen grass*;" but he would give no explanation as to the meaning of the word "Iyen;" which turns out to be a Burgher word, signifying "the very best;" the grass however turns out to be poisonous.

(2.) The cattle tax, so fatal (if nothing else was) to the grazing claims, is also disposed of by the Tahsíldár on the plea that "the land being *Iyen*" the Order of Government had not "yet" been "applied" to Sholoor. Even admitting that the land of the grant is "Iyen," which for ordinary agricultural purposes it most certainly is not, is it any reason that because he land of one locality is "the very best," therefore the entire village should be exempted? But *next day* Mr. Nesbitt found that the cattle tax *had been* PAID by the claimants!

(3.) The Curnum states that there being "*no measurement of lands*, it is not possible to prove from the accounts that this land" (the grant) "is allotted for grazing, or is the one intended in the pattas;" but it is a significant fact that *the day before* the Curnum made this statement, and on the morning just previous to the inspection, the *Tahsíldár* measured the land which I had long before pointed out to the Burghers as wanted by me. Mr. Nesbitt having been ordered to ascertain from me my "exact boundaries," intended, it is true, to measure it, but I was unable to point out these to him, and neither he nor I knew that the Tahsíldár had previously taken the precaution of measuring the most desirable tract.

Ootacamund, 13*th December* 1860.

(Signed) H. D. RAE.

No. 454.

ORDER THEREON, 29th January 1861, No. 226.

1. The Governor in Council regrets that there should have been any misunderstanding on this subject. The only matter, however, which calls for his orders is the claim of the Burghers to part of the lands which Mr. Rae wishes to include within his boundaries.

2 The Board have rightly understood the scope of the Government order allowing Mr. Rae to take immediate possession. This order was of course intended to apply only to land belonging to Government, for Government could not give what belonged to others.

Proceedings, 13*th November* 1860, *No.* 5,286.

3. The claims of the Burghers may in this instance be unfounded, for no doubt advantage is sometimes taken by that class of the undefined title conveyed by "grass Pattas." But this is matter for the consideration of the Officer before whom the claims may be brought judicially; the Government can give no opinion on the subject nor can they in any way interfere. The rival claims of the Burghers and Mr. Rae must be settled in due course of law. If the land is declared to belong to the Burghers, Mr. Rae can have other available Government land in the neighbourhood, and meanwhile he can carry on his operations on such parts of the block selected by him as are the undisputed property of Government.

4. The Governor in Council requests the Board of Revenue to report fully on the grass Patta system of the Neilgherries.

(Signed) J. D. BOURDILLON.
Secretary to Government.

No. 295

Coimbatore Collector's
Office 4th October 1860

From

E. B. Thomas Esqre
Collector of Coimbatore

To

H. D. Rae Esqre
Ootacamund

Sir,

In reply to your letter of 28th ultimo, I beg to observe you are of course at perfect liberty to do whatever you have the clear permission of Government for, whether direct or through the usual Office, but as there are, as you are aware, many clashing interests, and numerous applications for land &c. on the Hills, I am obliged to be as regular and official as circumstances will permit, in guarding local rights, whether of Government or private ones.

2. I would now request the favor of your informing me, on the Government grant to you, when you propose to fell the 40 acres of Forest granted? on which side you propose to take it? whether you wish the Timber felled or rooted up? whether for seed

Beds or other purpose). also whether you propose to make any road to your Plantation? and on what line? I ask the above for necessary information, and to facilitate your own project that I may arrange under Government orders for the removal of the wood and other matters.

3. On hearing from you I will either meet you at the spot, or, if unable, will depute Mr. Nesbitt or the Tahsildar to do so.

I have &c.

(Signed) C. B. Thomas

Collector

To

C. B. Thomas Esqre.

Collector of Coimbatore

Sir,

With reference to your letter of the 4th Instant (No 295) I beg you will excuse the present delay in replying to it, for really I am much occupied.

2. As my letter to Government of the 11th ultimo has been lately published in the newspapers, you will observe that I have been allowed "freedom of action" in the forest. I beg however to thank you for the assistance you have offered on this head.

3 Regarding the road, the commencement of which is about a hundred yards long just to indicate the most desirable line of country. I am not thinking of making a bandy road for some years to come. The spot at which it turns off is about 7 miles from this on the Pycara road - what I commenced is there - and it will hereafter run in an almost straight line from thence to the estate.

I shall be most happy to escort

4. either you or Mr Nesbitt to the ground at any time most convenient to yourselves.

Pray excuse this hurried reply.

5. knowing the interest you take in my project I am sure you must think it desirable that I should at present be as closely engaged as I profess to be.

I have &c.

(Signed) H. D. Rae.

Collectorate
16th October 1860

(True Copies)

C. B. T.

Collector

Memorandum.

Mr. Rae begs to inform the Tahsildar of Colaba and the certain* bazaars here, to his knowledge, been knowingly & purposely trespassing (with a view to cause annoyance) on the land lately under* to him by Government, which, under Government orders, Mr. Rae is bound to accede to a particular purpose; Mr. Rae therefore begs the Tahsildar will take steps, by warning the inhabitants* of the neighbourhood, to prevent such trespass in future - failing which Mr. Rae will deem it his duty to claim the intervention of the Police.

Colaba 18th Oct, 1860.

Tahsildar

* & B. Rae Esq. Collector Land Revenue & Salt Revenue &c &c &c

In a letter from the Collr of Customs dated 22nd Novr 1860 No 2174.

Copy in a Letter to Captain Hall dated 12th January 1863

2598/60

Orders of Letter to and from Collr Regarding Land Taken possession of by him for the Construction of Sea Face

057 450

Translation of an Urzee addressed to C. B. Thomas Esqr.
Collector of Coimbatore by Soondra Moodelliar Taksildar
of Neilgherry Talug dated 27th October 1860 No 178.

The ryots of Soloor a hamlet attached
to the Village of Todanaad, Neilgherries, informed
me that Mr Rae has taken possession of some
land near their Village for the purpose of form-
:ing a plantation; that much inconvenience
is thereby felt by them, particularly in regard
to their cattle; and that some of the land is also
held by them on grass Puttahs. I deputed
to the spot my Goomastah Vencatarama-iah
as well as the Curnum of the Village. I learn
from the statement given by them, that Mr Rae
has taken possession of land to the extent of
about 81 cawnies, at a distance of only 4 or 500
yards from the Villages for a tea plantation;
that he has erected no boundary or hedge
about it; that he has forbidden the ryots
from using this their land; and that the land
taken by him includes 14 Bullahs or Cs 40- Gs 11 Hs 96.
of land held by Burghers on 6 different Puttahs
ie from Nos 151 to 155 & 157, and that the rest of the land

Letter to Collector
dated 12th January 1861
No 2

Land taken up by Mr Rae & the
measurement of
grass Lands.

2500 Rs.

Mr Rae's Petn

Cs. Gs. Sfs.
Vof. 40. 12. 2304 is Government waste. The
Ryots also stated that about 400 head of cattle,
belonging to some 50 or 60 inhabitants of the
Village, as well as those of the Hoters of the ad-
joining Village, resort as usual for grazing
to the land now taken by Mr. Rae, there being
no other available spot in the neighbourhood
for the purpose. the slopes on two sides of the Village
hinder the cattle from passing through them for
grazing. on the 3d side the Village is bounded
by cultivation of the adjacent Village. the
Ryots therefore used the land in question as
pasturage for their cattle, and hold it accord-
ingly on grass Puttahs. The Burghers complain,
that if Mr. Rae wishes to have land for culti-
vation, he should seek it at a distance from
their Village and his having taken possession of
the land which is only 500 yards from the Village,
is a great inconvenience to them and their
cattle. they consequently request that such
measures may be adopted as will prevent
Mr. Rae from cultivating the aforesaid land
a portion of which is their own. I have myself

seen the spot last year when on duty there
examining the crops. I then asked the ryots
about this land, which I found uncultivated
and appropriated as pasturage only. they
told me that about 10 or 12 years ago, it was
under cultivation, and as their cattle having
since increased in number, they have taken
it on grass tenure to enable them to graze
their cattle. The complaint of the Ryots is
well grounded, and Mr. Rae's proposed plan-
tation in the close proximity of the Village,
will subject the Ryots to hardship, as cases
of trespass by their cattle will unavoidably
be frequent. If Mr. Rae is allowed to carry
on his operations on the spot, it will be very
difficult for the Ryots to live in the Village.
Mr. Rae in his letter to me states that the Burghers
are knowingly and purposely trespassing on
"his land," and that he will have to claim the
intervention of the Police to prevent such acts.
If such be the wish of Mr. Rae at the very first
onset, towards the Ryots, who have a fair title to
the land as being held by them on Puttah, no doubt

x Inclosed.

he will subject them to great annoyance eventually. The ryots also informed me that they will appeal to you direct on the subject. Under these circumstances I request you will write to Mr Rae not to commence operations on the land, but leave it as it is. I have been also given to understand that Mr Rae has erected 4 huts on the land, dug 50 or 60 holes, levelled ground to a square of 100 feet, and has cut Timber in the Sholas without leave. Some European Gentlemen get Burgher lands, and plant them with coffee, and after a time sell them for 4 or 5000 Rs to the detriment of the Ryots. Many instances of the kind had occurred in Coonoor, all of which are well known to you. I herein enclose the Statement given by my Goomastah, and the letter written to me by Mr Rae. I shall abide by such orders as shall reach me on the subject.

(Signed) M. Soondrum
Tahsildar

(True translation)

T. D. Kooman
Collector

Copy in a Letter to England dated the February 12 of 1863

Tr. a letter from the Collr. of Coimbatore. Dd. 2nd Novr. 1860 No. 214

P 2599/60.

Translation of an Urzee addressed to C. B. [illegible] Esqr. Collector of Coimbatore by Soondaram Pillai [illegible] Tahsildar dated 27th Octr. 1860 No. 178.

(Sd.) [illegible]
True Copy [illegible]

[illegible]

100-2[illegible] [illegible] 4 [illegible] 5[illegible]

[illegible]

[illegible] 400-500 [illegible]

[illegible] 151 [illegible] 15[illegible]

[illegible]

15[illegible]

[illegible] 50 [illegible]

[illegible] 400-500 [illegible]

[illegible]

[illegible] 100-200 [illegible]

[illegible]

Translation of a Jamil Statement given by Venkataramiah Gomastah of Neelgherry Taloob regarding the claims and Puttahs of Burghers on the land taken possession of by Mrs Rae in Soloor a hamlet attached to the village of Todamaad on the Neelgherries—

Present at the time of measuring the land—

Venkataramiah Gomastah—1
Venkataramaniah Curnum—1
Judi a Burgher Ryot—1
Mandon a Do.—Do.—1/4

The land is situated North of Moollikul Sholah, East of a Stream, known as Barea pullum south of a Do. known as Chinnapullum, west of a high hill and measures as follow—

Chains	Chains	Chains	Bullahs		As.	P.	Sq. Ft.
15	× 30	= 450.	or 28 1/8	making	81	6	800

5 Bullahs of land are held on grass puttah No. 151 by "Todamaga Jonen" paying an assessment of 1-7-6 being 1/4 rent for grass as particularized below—

4 Bullahs of land are known by the name of "Tettoopoonjy" and bears 1/4 assessment of 1-2-10. the 9th Class full rent thereon being 4-11-2.

1 Bullah of land is known by the name of Maittoopoonjy and bears 1/4 assessment of 4 As. 8 P. the 9th Class full rent

R. as. P.

thereon being 1-2-10-

1 Bullah of land is held on grass puttah No. 152 by "Bellimadon Levanon" the same is known by the name of "Palayattu pettipoonjy" and bears 1/4 assessment of 7 As. being grass- the full 7 1/2 Class assessment thereon is 1-12-2-

3 1/2 Bullahs of land are held on grass puttah No. 153 by "Mada" "Shivanah" "Belli" and "Poodoomon" paying 1/4 assessment of 1-"-5 being grass as particularized below-

1 1/2 Bullah of land is known by the name of "Tittoopoonjy" and bears 1/4 assessment of "-7-" the 9 1/2 Class full rent thereon being 1-12-2.

2. Do. of Do. are known by the name of "Koondaikooly poonjy" and bear 1/4 assessment of 9 as. 5 ps. the 9 1/2 Class full rent thereon being 2-5-8.

2 1/2 Bullahs of land are held on grass puttah No. 154 by Belliearoomon paying 1/4 assessment of 1-4-" being grass as particularized below-

1 1/2 Bullah of land is known by the name of "Kavadapunjy" and bears 1/4 assessment of "-10-7 the 7 1/2 Class full rent thereon being 2-10-4.

1. Bullah of land is known by the name of "Tittoopoonjy paying 1/4 assessment of "-9-5 the full 7 1/2 Class rent thereon being 2-5-8.

1 Bullah of land is held on grass puttah No. 155 by Iozyson of Boson- the same is known by the name of "Tittoopoonjy" and bears 1/4 assessment of "-9-5 the 5 1/2 Class full rent thereon being 2-5-8.

1 Bullah of land is held on Puttah No. 157 by "Poodoocoody Andy"- the same is known by the name of Tittoopoonjy and bears 1/4 assessment of "-4-8, the 9 1/2 Class full rent thereon being 1-2-10-

Total 14 Bullahs in all or Cawnies 40 Ms. 11 Lfs. 96.

Add Government waste Do. — 40 " 19 " 704.

81- 5 — 800.

22nd October 1860.

Mark of Padagowndon Mooigan

" of Iozygounden Do.

" of Ajjan Do.

" of Doman Sub Do.

Signed in Canarese Venkataramaniah Curumm.

Mark of Mudon

" of Andy-

"Signed" Venkataramiah Gomastah

(Signed) M. Soondrum Tahsildar

"True Translation"

C. B. T-

Collector

A.

To,

E. B. Thomas, Esqre.

Collector of Coimbatore.

Colacamund. 19th September, 1862.

Sir, With reference to your letter (No 258) of the 5th instant, forwarding me the Proceedings of Government (No. 1422) of the 23d ultimo, & with reference to my letter to you on the above of the 12th instant; in which I stated that "owing to the lateness of the season, & to the fact of my being unable to accept, in their entirety, the terms proposed by Government, I had taken the liberty of addressing Mr. Bourdillon,* the Revenue Secretary on the subject" directed, I beg now to say that, in the counter-propositions I have made to Mr. Bourdillon and being entertained by Government, I hereby accept the terms contained in the Proceedings aforesaid; & beg to acquaint you that I have this day taken possession of the grass land of the settlement. The forest I shall not touch till it is made over to me, either by Government or by the Forester.

I have, &c

(Signed) H. D. Rae.

* In the 11th inst.

True copy.

H. D. Rae.

P 2599/62

Letter to Collr of Coimbatore
dated 19th September 1862
No 258

Transmitting a translation of a petition from Ramalinga Pillay of Kallapalayam praying that a portion of the Government Grass land in the Kallapalayam Pasture Ground may be granted to him on Puttahy Assessment.

Referred to Mr. Rae.

J.

A true Extract.

B.

To,

E. B. Thomas, Esq^re.
Collector of Coimbatore.

Ootacamund. 21^st^ September, 186.

Sir,

I have the honor to inform you that I have this day received a telegram from Mr Bourdillon of which the following is a copy -

"Your letter has been received, & the Government agree to your terms."

2. The above, I beg to inform you, as you will learn through the usual channel, grants me "immediate possession" of the grass land & of 40 acres of forest without the intervention of the Forester. The Non points of difference in the terms are of immaterial moment; as they do not affect immediate possession.

I have, &c

(signed) H. D. Rae

True copy.

H. D. Rae.

C.

Coimbatore Collector's Office. 22nd September, 1860.

From, E. B. Thomas, Esqre.
Collector of Coimbatore.

To, H. D. Rae, Esqre.
Ootacamund.

Sir, In reply to your letter of the 19th instant informing me you have "taken possession" of the grass land of the Estate under reference to Government, previous to my having received any final orders from Government on the subject; I beg to inform you such occupation is unusual & premature; & I request you will await the necessary orders of Government through the usual channel before you appropriate land which may possibly have private claims existing on it.

I have, &c.

(signed) E. B. Thomas.
Collector.

True copy.
H. D. Rae.

N. B. This letter is without number.
H. D. Rae.

D.

To,
E. B. Thomas Esqr.
Collector of Coimbatore.

Codacamund. 28th. September, 1860.

Sir, With reference to your letter of the 22d. instant, in reply to mine of the 19th idem, I beg to state that the latter hinged on the tenor of Government not entertaining my propositions, but as these were accepted & agreed to on the 21st I beg now to withdraw my said letter of the 19th instant.

2. The "possession" you allude to was not actual but virtual owing to the difficulty of establishing a cooly party on the spot till they could be housed; but, as I have now withdrawn that letter, of course the virtual date of possession viz the 19th. no longer holds good, more especially as ~~since~~ you have disallowed it.

3. The main & principal condition or term under which alone I could embark in the cultivation of tea was the granting by Government of "immediate possession" by telegraph, & on the receipt of the Government telegram, according such possession by agreement to all the terms, I at once informed you of it & of its nature. This telegram came to hand on the morning of Friday last, or Saturday I made every arrangement, on Monday the

24th.

24th. I took actual possession, & next day I received your letter now under reply.

4. I beg to give you the assurance that I have no desire either to ignore your authority or to set myself up in opposition to you. Pure & absolute necessity alone drove me to seek for "immediate possession" direct from Government, with the view, as you are aware, simply & only losing the last of the present rains & thereby of being precluded from entering into the cultivation at all; I trust therefore that the liberty on my part, which Government have excused & given way to, will also be leniently dealt with by yourself. And, should any "private claim" on the land unfortunately arise, & be entertained by you, I should feel obliged by your kindly indicating to me the course which you think I ought to adopt in that case.

I have, &c.

(signed) H. D. Rae.

True copy.

H. D. Rae.

E.

Coimbatore Collector's Office.
4th October, 1860.

From E. B. Thomas, Esqre.
Collector of Coimbatore.

To, H. D. Rae, Esqre.
Pollachy.

Sir, 1. In reply to your letter of the 28th ultimo, I beg to observe, you are of course at perfect liberty to do whatever you like to clear permission of Government for, either direct or through the usual Officer; but as there are, (as you are aware), many clashing interests & numerous applications for land &c on these hills, I am obliged to be as regular & official, as circumstances will permit, in guarding local rights; whether of Government or private ones.

2. I would now request the favour of your informing me, on the Govt. Grant to you, when you propose to fell the 40 acres of Forest granted? on which side you propose to take it? whether you wish the Timber felled, or rooted up? (either for seed beds or other purpose) - also whether you propose to make any road to your Plantation? & on what line? I ask the above, for necessary information & to facilitate

by Mr by in her pre

facilitate your own project, that I may arrange under Government orders, for the removal of the wood, & other matter.

3. On hearing from you I will either meet you at the spot, or if unable, will depute Mr. Nesbitt or the Tassildar to do so.

I have, &c.

(signed) E. B. Thomas
Collector.

True copy.
H. D. Rae.

F.

To,
E. B. Thomas Esqr.
Collector of Coimbatore.

Calacammud. 16th Oct. 180

Sir, With reference to your letter of the 4th instant (No. 295) I beg you will excuse the present delay in replying to it, for really I am much occupied.

2. As my letter to Government of the 11th ultimo has been lately published in the newspapers, you will observe that I have been allowed "freedom of action" in the forest; I beg however to thank You for the assistance you have offered on this head.

3. Regarding the road, I commenced one about a hundred yards long first - to indicate the most desirable line of country. I am not thinking of making a bandy road for some years to come. The spot at which it turns off is about 7 miles from this on the Pycara road - but I commenced is there, & it will hereafter run in an almost straight line to the estate.

4. I shall be most happy to escort either you or Mr. Nesbitt

Mr. Nesbitt to the ground at any time most convenient to yourselves.

5. Pray excuse this hurried reply. Knowing the interest you take in my project I am sure you must think it desirable that I should be at present as closely engaged as I profess to be.

I have &c.

(signed) H. D. Rae.

True Copy.

H. D. Rae.

G.

Coimbatore Collector's Office.
6th November, 1860.

From,
E. B. Thomas, Esqr.
Collector of Coimbatore.

To,
H. D. Rae Esqr.
Ootacamund.

Sir, With reference to a report from the Tahsildar, & to your own letter of the 16th ultimo, claiming "freedom of action" in the Forest, I request you will inform me in what orders of Government you are authorized to select & appropriate your own land? to fix on your own portion of the Forest? to cut & use Government Timber for your Huts? & to threaten with legal Proceedings if they "trespass", Burghers on whose Pattah land you have really unauthorized encroached.

2. They told some of the land on Pattah, & complain loudly of your usurpation. and you have neither asked nor waited for any inspection by the Revenue authorities; but taken, as it appears, unauthorized possession.

I shall refer your reply to Government & beg you will favour me with it, without delay.

Thy &c &c

Delay.

I have, &c.

(signed)

E. B. Thomas.

Collector.

True copy

H. D. Rae.

#.

To, E. B. Thomas, Esqre.

Collector of Coimbatore.

Cotacamund. 13th Novr, 1860.

Sir,

With reference to your letter (No. 336) of the 6th instant I proceed to reply seriatim to its contents, & with as much conciseness as circumstances will admit of. I must however premise by observing that my letter of the 16th ultimo did not "claim" "freedom of action": it simply recited that this had been solicited from Government, & that Government, in agreeing to my terms, had conceded it. To this understanding on my part you have never taken any exception. I

I am authorized to fix on your own portion of the forest-?" Passing by verbal criticism of the expression I reply to your presumed meaning, that the Government authorized my taking "immediate possession" (which was one of the objects of my letter of the 11th September to Government, & to which Government assented) this could only apply to the land then in question as connected with my former application. In my letters to you of the 21st & 28th September I informed you of my acting under this authorization of "immediate possession," & on the 16th ultimo I offered to escort yourself or Assistant to the above. Nine all could have been pointed out. In neither case did you at all demur, nor did you apparently deem it necessary to pay any such visit.

3. Again you ask my authority from Government "to cut & use Government

Timber &c in the pre-

Government-Timber for my/your Huts"? I, in return must request your authority for assuming that-I have done so. I have simply to deny that-I have used Government-Timber for my Huts or for any other purpose. Matters connected with Government-Timber being I believe within the cognisance in the first-instance of the Conservator's Department I shall feel obliged by your justifying to Government your thus travelling, as it appears to me, without the province of your own Department-in question me direct-on this head.

4. You further ask "what orders of Government" authorize me "to treaten with-legal Proceedings" &c.. I have again simply to deny having "treatened" Burghers with-"legal Proceedings". I requested the interference of the Tasildar when certain Burghers tried intruding illegally on me; but when you say that I have intruded on Burgher's "Pattah land" a short explanation on this point is needed as follows-

5. I have myself had some years experience as a Revenue Survey Officer in the Bombay Presidency, & during that-& I may say I have had some millions of Pattahs to examine & as many claims & disputes to settle. I apprehend that, when I first applied for the land at Soloor, it was your duty before recommending its concession to me, to have ascertained that there were no claims against it. But-you did recommend to the Board of Revenue that-it should be granted to me, & I must therefore presume were satisfied on this head. My subsequent application to Government-was for more favorable terms of tenure & a quicker possession. These being granted the land fell to me under your previous recommendation. Your only entertaining the idea of the "possibility" of private claims on the land, & your only attempting to ascertain from me the exact-locality of the land after, in both cases, you had heard from me that-I had taken possession of it-, & about-3 months after your recommendation to the Board, are matters which I trust you will be able to explain to the satisfaction of Government.

6. But, as regards the Burghers "complaining bond fide of my usurpation" the real fact-is, that they desire only to extort-money illegally from me, as has been too common the case with-European settlers on these Hills, & if report-lies not, very much owing to too great facility being afforded by local authority-for the setting up of fictitious & preposterous claims. In the present instance these very Burghers have offered to sell me the Sole valley that-I should have gratefully availed myself of the offer, had it not been that, on examining the various pattahs which they brought to me I found the claim to the right-of effecting such sale to be pure fiction & false. I need only add that-in the interests of Government I shall be ready to give & produce evidence to this effect-in a Court of Law, if ever such might-prove necessary.

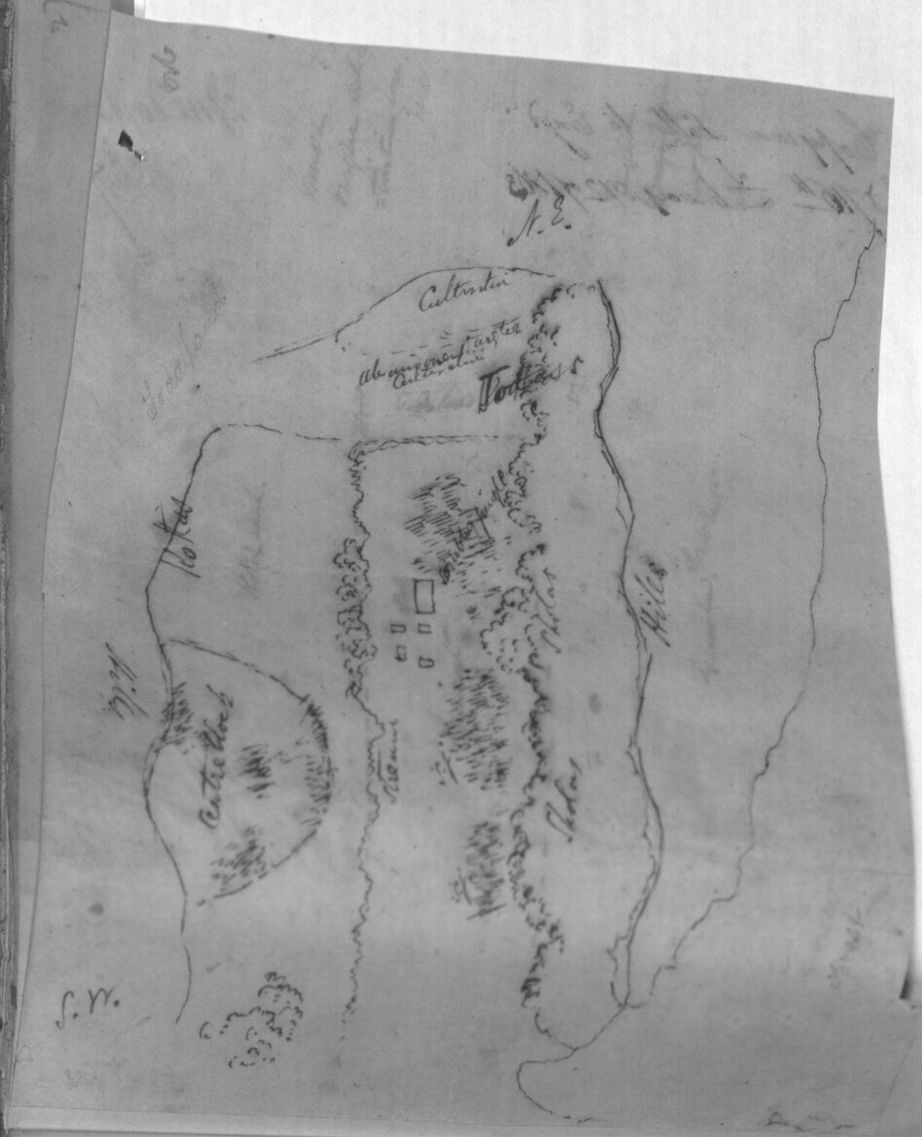
7. To your concluding remarks that-I have "neither asked, nor waited for, any inspection by the Revenue authorities; but taken" as it appears to you "unauthorized possession" I may just-observe that-in your letter to me (No. 295 of the 4th. ultimo) written when you knew that I had already taken possession ten days before, you stated that-there would be an inspection when you received my answer; that-I answered you on the 16th. idem offering to escort yourself or Government Assistant to the spot; that-up to this day there has been no action on your part or on that of Mr. Nesbitt-in the matter; & further that-when I informed you on the 28th. September that-I had taken possession of the land, you replied on the 4th. October was "You are of course at perfect liberty to do whatever you have the clear permission of Government for, either direct-or through the usual Officer".

8. You lastly say that-you will refer my present-reply to Government. Trusting that-I have acted in good faith-throughout in this matter, & that-in place of the assistance volunteered in your letter of the 4th. ultimo, I am subjected to exceptional interference which may tend to mar the progress of my experimental work, I purpose taking the initiative in this particular by submitting the general tenor of our correspondence for the consideration of Government.

I have &c.

(Signed) H. D. Rud.

True Copy:
H. D. Rud



Copy in a Letter to England
of 16th February N° 12 of 1863



Copy in Letter to Govt
No 1 dated 4th January 1865

To
C. B. Thomas Esquire
Collector of Coimbatore

Cotacamund 13th December 1860.

Sir. With reference to your letter (No. 336) of the 6th inst, I proceed to reply seriatim to its contents, & with as much conciseness as circumstances will admit of. I must, however, premise by observing that my letter of the 16th Ultimo did not "claim" "freedom of action" it simply recited that this had been solicited from Government & that Government in agreeing to my terms, had conceded it. To understanding on my part have never taken any exception

2. You ask me under what powers of Government I am authorized to select and appropriate my own land? to fix on my own portion of the forest? Passing by verbal criticism of the expression I reply to your presumed meaning, that, when Government authorized my taking "immediate possession" (which was one of the objects of my letter of the 11th September to Government, & to which Government assented) this could only apply to the land then in question as connected with my former application. In my letters to you of the 21st & 28th September I informed you of my acting under this authorization

rightly interpreted

".

of immediate possession", I on the 16th Ultimo I offered to escort you or your Assistant to the Spot, when alle could have been pointed out. In neither case did you at all demur, nor did you apparently deem it necessary to pay any such visit.

3. Again, you ask my authority from Government "to cut & use Government timber for my own huts &c". I, in return, must request your authority for assuming that I have done so. I have simply to deny that I have used Government timber for my huts, or for any other purpose. Matters connected with Government timber, seeing, I believe, that the Conservator is the Cognizance, in the first instance of the Conservator's Department I shall feel obliged by your justifying to Government your thus travelling, as it appears to me, without the province of your own Department in questioning me direct on this head.

4. You further ask "what orders of Government authorize me "to threaten with legal Proceedings &c". I here again simply to deny having "threatened" Burghers with legal Proceedings" I requested the interference of the Tasildar, when certain Burghers lately intruded illegally on me,

when you say I have intruded upon Burghers "puttah land" a short explanation on this point is needed as follows

5. I have myself had some years experience as a Revenue Survey officer in the Bombay Presidency; & during that duty I may say I have had some millions of puttahs to examine, & as many claims and disputes to settle. I apprehend that, when I first applied for the land at Sholoor, it was your duty before recommending its concession to me, to have ascertained that there were no claims against it. But

Revenue that it should be granted to me, & I must, therefore presume were satisfied on this head. My subsequent application to Government was for more favourable terms of tenure & a quicker possession. These being granted the land fell to me under your previous recommendation your only entertaining the idea of the "possibility" of private claims on the land and your only attempting to ascertain from me the exact locality of the land after in both Cases you had heard from

me that I had taken possession of it about
3 months after your recommendation to the
Board are matters which I trust you will
be able to explain to the satisfaction
of Government.

6. But, as regards the Burghers com=
=plaining loudly of my usurpation, the real
fact is that they desire only to extort
money illegally from me, as has been
too commonly the case with European
settlers on these Hills; & if report lie
much, very much owing to too great
facility being afforded by local authority
for the setting up of fictitious & pre=
=posterous claims. In the present instance
these very burghers have offered to sell
me the whole valley, down to as far
as I needed it, on a tenure so mani=
=festly to my own advantage that
I should have greedily availed myself
of the offer had it not been that,
on examining the various pretensions
which they brought home, I found the
claims to the right of effecting such

Sale to be purely fictitious & false - I had
only and that, in the interests of Government,
I should be ready to give & produce evidence
to this effect in a Court of Law, if ever
such might prove necessary.

7. To your concluding remarks, that I have
neither asked nor waited for any inspection
by the local authorities, but taken as
it appears to you, unauthorized possession,
I may just observe that in your letter (No. 295 of the 4th Ultimo) written when you
know I had already taken possession of
days before you stated that you did
be an inspection when you received my
answer, that I answered you on the 16th
from offering to escort yourself or your
assistant to the spot that up to this
day there has been no action on your
part or on that of Govt. Resident in the
matter; and further that when I informed
you on the 28th September that I had taken
possession of the land, your reply, on
the 4th Ultimo was you are of course
at perfect liberty to do whatever you

have the clear permission of Government for whether direct or through the usual Officers &c. You kindly say you will refer my present reply to Government. Feeling that I have acted in good faith throughout in this matter and that in place of the assistance you volunteered in your letter of the 4th "Ultimo I am subjected to a captious interference which may tend to mar the progress of my experimental work I purpose taking the initiative in this particular by submitting the general tenure of our correspondence

for the consideration of Government

I have the honour to be
Sir
Your most Obt. Sh.
Signed H. D. Rae
/ True Copy /
W. Westrill
Asst Collector

To D. D. Sim Esqr. Collector of Land Revenue
Forwarded by order of the Collector of Land Revenue
W. Westrill
Asst Collector

My letter.
Please return
when done with
by
Hy

The Govt. laid down by Board in their Co of 13 Nov. Last No 5265 terms & the letter - Mr. Rae should meet the Commissioner of the two Talukas in respect of Land in respect of others

Hy

In G.O. 23 August 1860 No. 1422 - Pt. Allowed Mr. Rae 200 Acres of Pasture & 25 Acres of Forest land, at Sholoor near Ootacamund for Tea cultivation on the following terms - Viz

1. Rent free for 7 years & thereafter 1 Rs per Acre for all Pt absolutely uncultivable.
2. The option of Redeeming the assessment by paying 20 Rs per Acre
3. An Obligation to devote the Land for 15 Years to Tea only.
4. "The fallen timber & underwood on the Forest Land." &c &c.

Reserved on account of Pt. before making re

the land.

On the 11 Left the Rae addressed pet Riech, praying that he might have 40 acres of Forest as originally bought - that the restriction to cultivation might be void for the 7 years free tenure & that instead of waiting the pet. cleared the Bushwood & fallen timber, he might have "immediate possession" & "freedom of action" in the 40 acres of Forest.

pet. attended & these terms & Com. municated thereas. Sent by Telegraph on 21 Sept.

On the 8th Oct Mr Thomas addressed pet. deprecating the grant of the Forest, but pet. adhered to their decision. This letter & order were communicated to Mr Rae and his first letter, in this packet, is a reply to Mr Thomas' strictures.

The present correspondence comprises I. a deal of personal altercation.

II. disputes about Mr Rae's proceedings.

III. Rival claims of Brothers to some of the land.

As regards the personal matter I presume pet. will not interfere. It may be sufficient to say they regret that any diff-

ference should have occurred. Mr. Thomas evidently feels hurt at the acceptance of Mr. Rae's terms without reference to him - but he does not seem to have exceeded his duty - nor perhaps under the circumstances could Mr. Rae have taken exception to his conduct. Mr. Rae is to be complimented in a style of writing not calculated to promote harmony - vide 5th para 5 of letter marked F. in No 2678.

As regards Mr. Rae's proceedings he clearly took possession of the pass both on the 19 Sept. 1860, under the official part - On the 21st Inst. the Telegram assenting to his

3/ first proposals on the 22d. Mr. Thomas wrote to him that his occupation was premature and that he must await the orders of Govt. On the 25th Mr. Rae wrote explaining the terms of the new pact withdrawing his first letter. He maintains that his first possession was virtual not actual & should be ignored altogether - But this is mere quibbling - It is quite clear that Mr. Rae did in the first instance take possession without any authority - As regards pt. however this is of little consequence - the real question is what pt. is intended by giving him "immediate possession". It seems to me that the Govt. in their Desp: No 2599 have rightly interpreted

Herein. He can appeal like any other person. Meanwhile he can proceed with his operations on all undisputed ground.

It is a pity the Colo. did not treat the case at once in the usual way - as it is, he - the W.P. Adv. & the Tribunal have all worked extra. judicially at a case which must ultimately be settled by one or other of them under the Regulations.

I should be well I think to request the Hon. to report upon this part of Puttah system of the Hills - & that the matter may be settled finally -

J. D. L.

P.S. The letter dated 13th was posted to Mr Rae in Circ: separately.

Mr Rae's Tea Land

yes Well

Rec'd 8/1/60

Proceedings of the Madras Government under date the 29th January 1861.

Read the following papers

From H. D. Rae Esqr.	Here under	6th Nov. 60	No.
Pres. Bd of Rev.	/	13	No 5286/
From H. D. Rae Esqr.	/	16	
From Collr of Coimbatore	/	23d	No 63/
From H. D. Rae Esqr.		12th Decr 1860	

Pres: 13th Nov 60
No: 5286.

The principle to be kept there should be no misunderstanding on this subject - The only matter in which any order is required is the claim of the Buyers to land of the lands in which Mr Rae wishes to include in their boundaries.

The Hon. have rightly understood the scope of the first order allowing Mr Rae to take immediate possession. This order was of course intended to apply only to land

belonging to pt.
for pt. could not
pic what belonged
to others.

The claims of
the Burghers must
be considered
of the object before
it does the claimant
may be brought
judicially - the
pt. can give no
opinion on the subject
nor can they in
any way interfere - The
rival claims of the
Burghers & Mr Rae
must be settled
in the course of
law - If the land
is declared to belong
to the Burghers, Mr
Rae can have the
available pt. land
in the neighbourhood
and meanwhile
he can carry on
his operations on
such portion of
the block selected
by him as are
the undisposed
property of pt.

The pic re-
quests the Bd
of Rev to push
forward on the
pass Puttah
system of the Neil

13 Copies to Bd of Rev Patta
1 — Collr of Coimbatore
1 — Mr Rae

Revenue 1861 Departt.
Proc.s of Govt for January.

No 226.

Proc.s of the Madras Govt.
Dd 29th January 1861.

~~From the Bd of Rev Dd~~
25th Feby 1861 C. No 665

~~From Bd of Revd 21 June 1861~~
No 1583 (reply to para 4 of the order).

Passing orders in the matter of the claims of Burghers to part of the lands which Mr Rae wishes to include within the boundaries of his experimental Tea Cultivation on the Neilgherries, and requesting the Board to report the grass Patta system of the Hills.

Mr Rae's Tea Estate

Copy in a Letter to Govt
No 46 dated 15th Feby 1861

9/9/61

R. No. 284-285
23-8-60
R. No. 404-405
21-9-60
R. No. 326-327
19-10-60
From Bd 3/13th Nov 60
C No 2599
From H. D. Rae Esq 8 Nov 60
C No. 2597
R. No. 284

No 469 at 454