M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 243	Press ~~Mis.~~
487-488	
Dated 30-1-1864.	

Not to be folded or roughly handled

No. 487. Read the following Proceedings of the Board of Revenue, dated 28th November 1860, No. 5,525:—

Read the following letter from J. I. MINCHIN, Esq., Acting Collector of Kurnool, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated 30th October 1860, No. 172.

SIR,

1. I have the honor to forward for transmission through the Board, a letter received by the last Mail from Captain Nelson, addressed to the Secretary to Government, in which he applies for the same privileges as are accorded to settlers in Pegu—the right to all the wood excepting Teak growing on the Estate which has been made over to him for a term of years.

2. With reference to the statement in paragraph 2 that measures have been recently taken to levy a tax on every load of timber from Siddápúr, I have the honor to state that since the commencement of last year a general tax of one Rupee per bandy load for ordinary timber, and two Rupees per load for Teak has been levied throughout the District, in order to prevent the previous indiscriminate felling of the Nullamalai forests. The measure had no special reference to Siddápúr.

3. As appealed to in paragraph 6 of Captain Nelson's letter, I have no hesitation in stating that I consider his enterprise one of the highest usefulness to the nomade population that have hitherto wandered through the jungles in which he has settled, and a few of whom he has reclaimed. The continued unhealthiness of the station forces me to speak with less confidence of the probability of his permanently restoring this deserted tract of country to cultivation.

4. In his attempt Captain Nelson has sacrificed his own health, which after a long struggle he was obliged to return to England, to recruit. During his enforced absence I fear that his enterprise has greatly suffered, and that when he returns to India early next year, as he has determined to do, he will have to go over his work again from the beginning, with but little benefit beyond that of increased experience from his previous labours.

5. The Government may be satisfied that any pecuniary advantages granted to Captain Nelson will be devoted by him sacredly to the object on which his life is cast. That object is one of unquestionable public utility, as well as of great personal risk, and under such peculiar circumstances, I venture to recommend Captain Nelson's request to the favorable consideration of the Board and Government.

6. It would of course be necessary for the sake of principle to take measures to prevent the timber on Captain Nelson's forests from being exhausted, or even felled more rapidly than the others in the District. I would suggest, therefore, that any system of taxation, or conservation adopted in the rest of the District, should be enforced in Captain Nelson's territory, but that the machinery and profits of collection should be left in his own hands. I am confident that such a privilege would never be abused by him for his mere personal profit, as his love for his jungles would restrain him, if he had no other motive.

7. As during Captain Nelson's absence from the country such a privilege granted to his native Manager might be liable to abuse, I would only recommend that it should be granted from the date of Captain Nelson's return to take personal charge of his Estate.

From Captain F. NELSON, of Siddápúr and Peddacherru, to J. D. BOURDILLON, Esq., Secretary to Government, Fort Saint George, dated London, 4th September 1860.

SIR,

1. The operations of the Irrigation Company will almost immediately be felt, and the value of timber and bamboos on my lands will certainly become of importance.

2. In a letter received from Biarlooty by last Mail, I am informed that the Collector of the District is already taking measures in regard to a tax on every load of timber from Siddápúr.

3. In my original proposal to Government to clear and cultivate the lands of Siddápúr and Peddacherru, the question of timber was entirely overlooked by me in consequence of its then comparative worthlessness.

Nominal rent or Teak

4. Experience has greatly modified my hopes and expectations in regard to the project on which I have staked my life: not that the undertaking seems of less importance in my eyes, but that I have acquired a more true perception of the different sources from which income may be derived, and their relative value one to another.

5. The recollection of my original scheme of restoring the great Siddápúr tank, and counting revenue by tens of thousands, is now but a smile and a sigh; but the fever and the spleen remain a reality. I firmly and honestly believe that my personal prosperity means the success of the undertaking; the amelioration of a deadly climate; the enrichment of the people, and the advantage of the country.

6. The Collector of the District the Honorable D. Arbuthnott, or the Acting Collector Mr. J. I. Minchin, and the people of the villages contiguous to the Zamíndári could speak on the subject of my usefulness. I cannot with decency do so myself.

7. I would respectfully solicit His Excellency the Governor in Council to call for that opinion and consider whether although no mention of timber is made in my original proposal to clear and cultivate the lands in question, I may not be allowed the same privileges accorded to settlers in Pegu—the right to all the wood excepting Teak growing on the Estate.

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1. Ordered to be submitted for the decision of Government, with the Board's recommendation that in consideration of the character and original terms of Captain Nelson's undertaking, and with such reservations for strictly conservancy purposes as the Conservator of Forests may desire to establish, Captain Nelson be allowed the benefit of all the timber on the Estate except Teak, Sandal and Black-wood.

2. The Board have full reliance on the singleness of Captain Nelson's intentions, and believe that the administration of the conservancy arrangements may safely be left in his hands.

(True Copies and Extract.)

(Signed) W. HUDLESTON, *Acting ecretary.*

No. 488.

ORDER THEREON, 30th January 1861, No. 243.

1. The Board of Revenue submit a letter from the Acting Collector of Kurnool, enclosing one addressed to Government by Captain F. Nelson of Siddápúr and Peddacherru, and now in England, in which that Officer prays that he may be allowed "the right to all the wood except "teak growing on the Estate." The application is understood to refer to the lands of Siddápúr and Peddacherru, of which Captain Nelson obtained permission in 1854 to clear and cultivate. The Acting Collector and the Board support the request.

2. The Honorable the Governor in Council sees no sufficient grounds for conceding the privilege sought by Captain Nelson. That Officer obtained permission in 1854 *to clear and cultivate the waste lands* of the tract in question free of assessment for ten years. But no manorial or Zamíndári rights were conferred on him, or any rights except in the lands cleared and cultivated; the use of the term Estate to signify the whole tract of forest is therefore inappropriate. The lease was afterwards extended in 1857 for another term of ten years on half assessment; and Captain Nelson at the same time obtained the Pullari or grazing farm.

3. The tract to which Captain Nelson's application refers is very extensive, comprising, it is believed, many thousand acres, for the most part covered with forest. The Government fully recognize the importance of the object which Captain Nelson had in view in settling at Siddápúr, and the energy with which he has pursued that object; but they fail to see any reason for giving over to him the whole of the valuable timber on the land.

4. The forest will remain under the rules of the Conservancy Department; but Captain Nelson will be considered to be entitled to fell any timber in the *bonâ fide* prosecution of his enterprize and to use it on the spot without any charge. But all timber felled and removed for sale must pay to the Government the fee fixed by the Conservancy rules. The Board of Revenue is requested to cause this decision to be communicated to Captain Nelson.

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

Note

Enc
9 Jany. 1861
1854

Enc 25 July 54.

In 1853 Capt Nelson applied for leave of absence & explore the tract of country on both sides of the Kistna at the Eastern End of Kurnool, left Kurnool in the Mayst - This was granted and a report of the tour submitted in the following year.

On the 24 June 1854 Capt Nelson made his first proposal for his present Farm - His terms were

I. Permission to settle at Siddapoor in order "to cage the jungles" & reclaim the country -

II Permission to cultivate the land without restriction as to quantity at a nominal rent or rent

fee for 10 years.

III. An grant of 3000 Rs to clear some of the jungle & deepen the Lal Darwaza Tank.

Capt Nelson calculated that in 3 years he would have more than 10000 Rs available from the proceeds of his operations which sum he "with permission" would dedicate to the completion of the Tank - This work completed he would be "in a condition to convert a wilderness of many thousand acres" into most valuable land and "when his 10 years indulgence had expired the Collector of Kurnool would possibly be tickled by more than a lac of Rupees."

Further on he says that in thus reclaiming this tract he should be of more use to Government if employed in any other way & that "this was the chief object of his enterprise, that he would not attempt to dam persons & property on an undertaking of he were not also convinced that he should enrich himself." He concludes by saying that as his proposal would in all probability prevent his ever being employed again, he should feel no regret if Govt were to "decline his services."

As for Capt Nelson's idea seems to have been only a ten per cent lease of what ever land he might reclaim.

23 Nov. 1854
No 1526.

Re Nos. 54 pet.
praying the 3000
as an advance to
be secured by easy
instalments should
his project succeed.
and "permission" to
clear & cultivate
free of all assess.
ment for the next
ten years or until
the close of the season
year 1865/6 the waste
lands of Liddaporr
& Peddacherro" -
with the proviso that
he should not interfere
with the rights
of any present occu.
pants or pagoy
contractors in Mint &
making them com.
pensation -

The above orders
were passed in
anticipation of

7 the Collr's report which
was duly received a
dated following - In
this report Mr Darnell
mentions that the
"Agacut of the two
villages of Liddaporr
& Peddacherro ha.
about 40,000 Acres -
This denies the first
statement of the area
of the tract - first survey
seems based on this
letter that they had
already posted
orders re Capt Nelsons
project in ~~Oct~~ Dec
23 Nov. 54 - /v. para /

In 1856 Capt
Nelson represented that
Letters in Paper were
allowed for more
favorable terms than
had been conceded
to him - The pet re-
ferred to the Bd of Rev

this proposed Act is to "hold the waste lands of Kilda Goss & Reddacherros" on more liberal conditions -

The Bd. reported that "the Extent of the Farm is stated to be about 40,000 Acres" and they recommended that at the End of his first 10 years fee lease, Capt Nelson should have a second term of 10 years at 1/2 assessment & thereafter full assessment should be levied. Govt acceded to this & granted an Authority that "at the End of his present lease ten years lease, Capt Nelson be allowed to hold the lands for the further period of ten years on half assessment and on full rate thereafter."

No regular lease or Deed title deed appears to have been issued and the above is all that bears directly on the transaction -

Capt Nelson now states that the operations of the Irrigation Canal are proving a value to the Timber on his leased lands - That the Co on behalf of Govt is proving a tax on wood from Kidd Gap & that during dry Seasons comparatively with =

less resp the questions of the trustees on the Land not entirely precluded by him when he made his original pretentions to the claims - nine as a concession & not as a right - that he shd have the same privileges as are accorded to settlers in respecting a "right of all the wood except teak growing on the Estate" -

Mr Meiklejohn, the Asst Mr states that the tax referred to is an Exportage of 1 Rs per Bullock Cart load of ordinary wood & 2 Rs for Cart load of teak - & has been levied throughout the district - & teak or Eddaloe wood only - & prevented the previsions in discriminate fell ing of Timber -

3/ and he recommends compliance with Capt Nelson's request - on the ground of the importance of his enterprise & the normal state of that tract - the sacrifices he has made - and the economy that any pecuniary advantages gained to him will be speedily devoted to the further advance of this great object -

He begs to observe that the same concessions as may be necessary in favour of Capt Nelson - should be followed in the rest of the district by Capt Nelson - who should receive the profits & possess the management - and that the principles brought should remain in abeyance

Capt. Capt Nelson's
Steward James England
as his Private Manager
might abuse them.

The Bd. recommend that all the Roads be painted & Capt Nelson - Excepting Zec & Sandal & Black wood.

It is pr[illegible] clear I think to the Trustees that the Trustees have entirely overlooked Mr Capt & Capt Nelson - Had it been considered at all, Capt would nevertheless have insisted even they gave up the work in 40,000 Acres - and even then I think they might not have injured

Certainly - it was an error of about 64 square miles

maintain that all the work paid for by application was that might be cleared in the most possible manner of the enterprise - But the favorable terms conceded & the present encouragement attended & the interest evinced that Capt Nelson's influence in inducing Capt Nelson to persevere in an enterprise in which success is almost & therefore quite at all events be purchased by loss of health - and much pecuniary suffering - he may therefore fairly claim a continuance of the consideration which

has been done to
secure his Title.

Apart from the
Extent of the "Farm"
40000 Acres - which
is really known to
the Surveyor - Resources
of the Track - The Con-
servator of the Forests
has been ordered to
explore it and Capt
Mayne tells me this
will be done in the
course of a few Months.

Two Plans may
be adopted.

I. The immediate
Settlement of the
Forests by accepting
the conditions pro-
posed by the Bd
or Guaranteeing all the
Work except Fencing
as desired by Capt
Nelson with or without
the Colonr conditions

II. The postponement
of the Forests until
the Tract has been

examined by the
Conservancy Dept
and Govt know what
they are giving & what
they are retaining -

The latter course
will involve a delay
of some more Yrs - but
this will not be of
material consequence
if, as the Colonr proposes
whatever privileges
are granted are to
take effect only "from
the date of Capt
Nelson's return to
take personal charge
of his Estate" -

J. D. S

P.S. Whatever orders
are passed the early
Examination of the
Forests in this part
of Viscount is desirable
and the order on this
subject might be reiterated -

In my opinion it was never intended to make the timber of these extensive forests to Captn Nelson and it seems to me undesirable to do so. - He was given a lease of 10 years to clear & cultivate the waste lands free of assessment - and this lease was afterwards extended to another term of 10 years on half assessment. - But no manorial or pecuniary rights have been conferred, as far as I can see on Captn Nelson. On the contrary he was ordered to respect existing rights, & on a subsequent application he obtained the Poolery or grazing farm from Govt. (No 764. Order of Govt. dated 29 July/57) - this shows that his original permission was simply to clear & cultivate the waste lands & that he looked for his remuneration from this source. -

- I find also that a claim to the timber of the Govt forests, which has become more valuable through the operations of the Irrigation Company, is a new thought in Captn Nelson's head. - In his letter to Govt of 14 Feby last he alludes to the important changes being made on his neighbourhood by the Irrigation Company - but he then made no claim whatever to the timber of the Forests, & confined himself to mentioning that the Irrigation Company would benefit him in 2 other ways - 1st their canal would afford carriage for his produce to Madras - 2nd their operations would bring the surplus population to the vicinity of the Canal & aid him in clearing & cultivating the waste lands.

His letter further shows that the Chenchavars cut timber for the Merchants irrespective of him & that such cutting were an assistance to his agricultural operations (- He is anecdote of offering to pay the District Engineer for allowing a large Tamarind tree) -

* I. & C 23 Kemp/57 No 1525

I cannot therefore see that he has any claim to the timber of these extensive forests, & it seems to me very undesirable to remove them from the Govt. Conservancy - Capt. K. is entitled to fell any timber which is in his way & I think also to use it on the spot without any charge - But all timber felled & removed for sale should pay to the Govt the fee fixed by the Conservancy rules.

9 January 65

E.H.

I should accede to the reasonable request made by the Rajah - the request not made by Capt K. as a matter of right - he seeks it as a gratuitous concession -

The Conservancy rules are to be strictly observed by him - Inquiry to the value of timber cut should therefore take place - and all that Govt gives up - is the amount they would otherwise receive for some few selected value timber - I however think that Rajahs - should be allowed valuable timber - [illegible]

Capt Kelton's request for all Work on his Farm &c - Copy to Capt Jeaks

I regret that I cannot concur in the views expressed by my colleague, on this subject - & consider that compliance with Capt Kelton's application would lead to difficulty & loss. -

The permission given to Capt Kelton to clear & cultivate the waste lands is expressed in vague & loose terms - No express power of resuming the permission in case of neglect to cultivate appears to have been reserved by Govt. and he entered, as far as I can see, into no stipulation or conditions on this point - It would therefore I conceive be dangerous to give to him the right of the jungle wood over forty square miles, since there would be a great temptation now that the Singapore Company operations have increased the value of wood, for his agents or any person to whom he transferred his rights or his leases to turn timber dealers instead of cultivators in which case the Govt must either submit to an unnecessary & indefinite loss or become involved in litigation & difficulty. - Moreover I see no cause for applying over the Jungle property to Capt Kelton in this manner. - The requisite encouragement has already been given to his undertaking in the exemption from assessment for a term of years, in a loan of money & other ways. - The clearance of the jungle & brushwood is chiefly an advantage to him by rendering his agricultural operations, and I do not see why the money obtained from timber & firewood cut by other parties should go to him instead of into the Public treasury - If the Singapore Company's canal affords water carriage to the

Block 2806 of 1861

coast the part of the country will largely supply Madras with timber & fuel. - The jungle from this source are ~~important~~ likely in any future to be more extensive & real than those portions of Nelloor agricultural operations, and they ought, I consider, to come into the public treasury

12 Jan/61

The

~~Board's Letter~~

I moved Give Capt H. Nelson full leave to cut - & carry away such Teak, the wants of the Irrigation Canal may require - & get Teak cut & kept ready for 2 ships to be sent for at Porto Novo & Madras, if such a step should be found necessary, & make him, Capt Nelson, clearly understand that he is not to derive any profit from his Proclamation -

I moved an agreement in respect to the timber should be executed by Capt Nelson & his Assigns

Teak & Blackwood

Revenue Depart.

No 243

Proceedings of the Madras Government

Under date the 30th January 1861

Read the following

Proceedings of the Board of Revenue

Submitting for the decision of Government a letter from the Acting Collector of Kurnool with the Board's recommendation that Captain Nelson be allowed the benefit of all the timber on the Estate made over to him for a term of years, except Teak, Sandal & Blackwood.

(Recevied 28th Nov. 60 No. 5525)

The Board of Rev.

submit a letter from the Acting Collector of Kurnool, enclosing one addressed to Government by Capt. W. F. Nelson of Siddapur and Peddacherru, and now in England, in which that officer prays that he may be allowed "the right to all the wood except teak growing on the Estate". The Acting Collector and the Board support the request.

2. The Honorable the Governor in Council sees no

The application is in reference to the lands of Siddapur & Peddacherru, in which Capt. Nelson obtained a lease in 1854 to clear & cultivate. The

no sufficient grounds for conceding the privilege sought by Captain Nelson. That officer obtained permission of the tract in question free of assessment for ten years. But no manorial or Zemindari rights were conferred on him, or any rights except in the lands cleared and cultivated; the use of the term Estate so to signify the whole tract of forest is therefore inappropriate. The lease was afterwards extended in 1857 for another term of ten years on half assessment; and Capt. Nelson was granted obtained at the same time the Pullari or Grazing farm.

3 The tract to which Captain Nelson's application refers is very extensive, comprising, it is believed, many thousand acres, for the most part covered with forest — The Govt. fully recognise the importance of the object which Captain Nelson had in 1854 to clear and cultivate the waste lands

had in view in settling at Siddapur, and the energy with which he has pursued that object, but they fail to see any reason for giving over to him the whole of the valuable timber on the Capt. of this property deferred to.

4. The forest will remain under the rules of the Conservancy Department; but Capt. Nelson will be considered to be entitled to fell any timber in the bonâ fide prosecution of his enterprize and to use it on the spot without any charge. But all timber felled and removed for sale must pay to the Govt. the fee fixed by the Conservancy rules. — The Board of Revenue is requested to cause this decision to be communicated to Capt. Nelson.

13 Copies
to Bd. of Rev: with Capt. Nelson's letter of 14th Feby 1860 and reply of 24th idem No 322.
to Conservator of Forests.

Copy Sent

98 10
5

Revenue 1861 Dep.t
Pro: of Govt. for January.

No. 243.

Pro: of the Madras Govt.
Dy 30th January 1861.

Capt.n Nelson's request for
add.l Road on his Farm &c.
&c. &c.

On a letter from the Coll.r
of Nurnool enclosing one
from Captain Nelson
of Siddapur & Peddacherra
praying to be allowed the
right to all the wood —
except teak growing on
the estate.

Nos 487 & 488.