1/384

Revenue Department

Minutes of Consultations

@ 30th March 1858

Back no 11 & 12

(6)

Order no 356 dt 24th March 1858

பரத்தாய்பு பிரிவு - - 1.

செப்பனிடுபவர் பெயர் (ந). நிம்மையா

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள். 16-5-08

செப்பனிட்டு முடித்த நாள் -11-08

25/28/11/08
வரிபார்க்கும்
முதல் ஒ. நி. பா.
கையொப்பம்

16/11/08
ஒப்பாக்கும்
ஒ. நி. பா. எ.
கையொப்பம்

19/12
தேர்ச்சி
உதவியாளர்
கையொப்பம்

2/
386

Fort Saint George, Revenue Consultation of 30th March 1858.

No. 11. Read the following Extract from the Proceedings of the Board of Revenue, dated 10th March 1858, No. 871.

In Consultation 10th March 1858. Read letter from the Acting Collector of Malabar, dated 2nd March 1858.

(Here enter No. 27.)

Board's Proceedings, 4th November 1857.
Extract Minutes Consultation 23rd, in Consultation 25th November 1857, No. 2150, P. W. D. Railway.
Board's Proceedings, 16th December 1857.
Extract Minutes Consultation 8th, in Consultation 9th January 1858, No. 28, P. W. D. Public.

Resolved that the above letter be submitted for the orders of Government with reference to the correspondence noted in the margin.

2. The Acting Collector reports that he has duly convened a Punchayet to settle the amount of compensation to be paid to the Ferry Contractor for his losses consequent on the Railway Company having been permitted to use their own boats on certain of the Ferries included in his lease. The Contractor however has claimed compensation to the extent of Rupees 1,65,792.

3. Of this Rupees 57,792 represents the estimated profits of Fuslies 1267 and 1268 and is said to be based on data collected by the Contractor of the actual traffic passing over the Railway ferries. The Acting Collector states that he has selected the busiest part of the working season on the Railway and that his estimate is exaggerated in other respects.

4. The balance Rupees 1,08,000 is the anticipated profit consequent on the expected opening of the Railway and is based on the estimated traffic on the line.

5. There can be no doubt that the claim is grossly exaggerated but it is difficult to meet it in any other way than that now suggested by the Acting Collector, viz., to accede to the Contractor's offer to commute his claim for a remission in his rent of Rupees 6,000 per annum for 3 years. The total compensation will thus be 18,000 Rupees which is considered by Mr. Robinson to be a reasonable concession.

6. It will be observed that Mr. Robinson is of opinion that according to the accounts of the Railway a large sum would be claimable by the Contractor for the first two years and his contingent profits during the 3rd year would still remain for adjustment and prove a matter of considerable difficulty. The compromise seems therefore favorable to the interests of Government. On the other hand the Contractor can justly claim payment for all the traffic which may be proved by the accounts of the Railway Company and this the Acting Collector thinks will amount to a "very large" sum independent of the claim for the 3rd year of the lease. The decision of the arbitrators will also be final, as their character seems to forbid the supposition of partiality.

7. The Board therefore recommend that the compromise should be sanctioned. If this course be assented to, the Acting Collector will be careful to have the Contractor's deed of acquittance carefully drawn up, so as to prevent any claim by his subtenant against Government.

8. The Board recommend that the decision of Government be communicated to the Acting Collector by Telegraph as the Punchayet has already been assembled.

(A true Extract.)

(Signed) G. S. FORBES, *Secretary.*

No. 12. ORDER THEREON, No. 386; dated 24th March 1858.

Under the circumstances represented by the Acting Collector of Malabar, and agreeably to the recommendation of the Board of Revenue, the Right Honorable the Governor in Council sanctions the remission of Rupees 6,000 per annum for three years to the Ferry Contractor for losses consequent on the Railway Company having been permitted to use their own boats on certain of the Ferries included in his lease.

2. The Board will be informed that a communication to the above effect was made to she Acting Collector by telegraph on the 11th Instant.

(Signed) H. FORBES,
Acting Secretary to Government.

Telegraph to 4/386

3/386 R 349.

This paper is sent in special circulation. The Board of Revenue desire that the orders of Govt. thereon may be sent to the Collector by Telegraph.

There seems no alternative but to accept the terms proposed & to

[illegible] Martandam

[illegible] Collector

[illegible] at once communicate

[illegible] Govt

[illegible] for free use

[illegible] practice, in

[illegible] all claims

[illegible] the Railway

[illegible]

assented to, the Acting Collector will be enabled to have the [illegible] drawn up, so as to prevent any claim by his subtenant against Government.

8. The Board recommend that the decision of Government be communicated to the Acting Collector by Telegraph as the Punchayet has already been assembled.

(A true Extract.)

G. [illegible]

Secretary.

To

H. FORBES, Esq.,
Acting Secretary to Government,
Revenue Department.

Copy to Malabar.

Despatch to 7/3/08
to Rebellion &
Claims
Collectr

Concludes & encloses
Proposed arrangement
to remit six thousand
rupees a year for three years
to the Ferry contractor, in
lieu of his further claims
on account of the Railway
ferry.

11 March 1908.

assented to, the Acting Collector and [illegible]
drawn up, so as to prevent any claim by his subtenant against Government.

8. The Board recommend that the decision of Government be communicated to the Acting Collector by Telegraph as the Punchayet has already been assembled.

(A true Extract.)

Secretary.

To

H. FORBES, Esq.,
Acting Secretary to Government,
Revenue Department.

Copy to Malabar.

Rebellion –

11. 3. 08

Lake 20.

The arrangements
Leaves Sale & Jail
in fact the Govt have
made a very good
bargain – Wells
11

5
376

No. 871.

Extract from the Proceedings of the Board of Revenue, dated 10th March 1858.

In Con. 10th March 1858. Read letter from the Acting Collector of Malabar, dated 2d March 1858.

(Here enter No. 27.)

Board's Proceedings, 4th November 1857.
Extract Minutes consultation 23d in con. 25th Nov. 1857, No. 2159, P. W. D. *Railway.*
Board's Proceedings, 16th December 1857.
Extract Minutes consultation 8th in con. 9th January 1858, No. 28, P. W. D. *Public.*

Resolved that the above letter be submitted for the orders of Government with reference to the correspondence noted in the margin.

2. The Acting Collector reports that he has duly convened a Punchayet to settle the amount of compensation to be paid to the Ferry Contractor for his losses consequent on the Railway Company having been permitted to use their own boats on certain of the Ferries included in his lease. The Contractor however has claimed compensation to the extent of Rupees 1,65,792.

3. Of this Rupees 57,792 represents the estimated profits of Fushes 1267 and 1268 and is said to be based on data collected by the Contractor of the actual traffic passing over the Railway ferries. The Acting Collector states that he has selected the busiest part of the working season on the Railway and that his estimate is exaggerated in other respects.

4. The balance Rupees 1,08,000 is the anticipated profit consequent on the expected opening of the Railway and is based on the estimated traffic on the line.

5. There can be no doubt that the claim is grossly exaggerated but it is difficult to meet it in any other way than that now suggested by the Acting Collector, viz., to accede to the Contractor's offer to commute his claim for a remission in his rent of Rupees 6,000 per annum for 3 years. The total compensation will thus be 18,000 Rupees which is considered by Mr. Robinson to be a reasonable concession.

6. It will be observed that Mr. Robinson is of opinion that according to the accounts of the Railway a large sum would be claimable by the Contractor for the first two years and his contingent profits during the 3d year would still remain for adjustment and prove a matter of considerable difficulty. The compromise seems therefore favorable to the interests of Government. On the other hand the Contractor can justly claim payment for all the traffic which may be proved by the accounts of the Railway Company and this the Acting Collector thinks will amount to a "very large" sum independent of the claim for the 3d year of the lease. The decision of the arbitrators will also be final, as their character seems to forbid the supposition of partiality.

7. The Board therefore recommend that the compromise should be sanctioned. If this course be assented to, the Acting Collector will be careful to have the Contractor's deed of acquittance carefully drawn up, so as to prevent any claim by his subtenant against Government.

8. The Board recommend that the decision of Government be communicated to the Acting Collector by Telegraph as the Punchayet has already been assembled.

(A true Extract.)

Secretary.

To

H. FORBES, Esq.,
Acting Secretary to Government,
Revenue Department.

Copy to Malabar.

Cons 24th Nov 57 N° 1214
" 6th Jany 58 " 12th 58-04

N° 11 & 12

Pol Dept 1858 Dupont
Dep to Civil 30th March

N° 349.

Extract from the Proceedings of the Board of Revenue

Dated 10th March 1858.
Rec'd 11th "
Encls N° 871.

Submitting a letter from the Acting Collector of Malabar and recommending that the sanction of Government be accorded to the conformance of the terms of the Ferry Contractor to compensate him for his losses consequent on the Railway Company having used their ferry boats on certain of the lines included in his [illegible] from 24th March 1858.

N° 386 With an order.

N° 386.

Under the circumstances represented by the Acting Collector of Malabar, and specially to the recommendation of the Board of Revenue, the Right Honorable the Governor in Council sanctions the payment of Rupees 6000 per annum for three years to the Ferry Contractor for loss consequent on the Railway Company having been permitted to use their own boats on certain of the ferries included in his lease.

The Board will be informed that a communication to the above effect was made to the Collector by telegraph on the 11th instant.

Pol & St. Geo.
24th March 1858.

1 Copy to Pol & Gen with Encls
1 — Public Dept
1 — Civil Audr

N° 386