M.R.O. 14-5,450—29-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 256 Press ~~Mis.~~

535-536

Dated 28 - 1 - 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 28th January 1867.

No. 535. Read the following Proceedings of the Board of Revenue, dated 16th January 1867, No. 282 :—

Read again Board's Proceedings, dated 6th November 1866, No. 8,032.

Read also the following letter from the Acting Collector of Coimbatore, to the Secretary to the Board of Revenue, dated 15th December 1866, No. 308.

1. With reference to the Board's Proceedings of the 6th November 1866, No. 8,032, I have the honor to report that six months' notice to quit the Coonoor Travellers' Bungalow was given to Mr. Smith on the 11th August 1866, and that he gave it up on the 1st September.

2. Mr. Smith had already purchased Woodcote property, and occupied it as an hotel; and in a place like Coonoor, where plenty of houses are available, there seems no hardship in resuming the bungalow when required.

3. As regards the purpose for which it was resumed, I will only state here that a scheme for adapting the bungalow as public offices has been proposed by the Superintending Engineer, 7th Division, by which accommodation will be provided for the Sub-Magistrate's Office, the Police Station, and the Post Office, at a saving of some 7,000 Rupees on the previously estimated cost for such provision.

4. As Mr. Smith left the bungalow within a month, while entitled to remain six months under the terms of the notice, it is impossible to attach much importance to his subsequent complaint.

5. Mr. Smith claims Rupees 1,205-6-0 as compensation for the improvements effected by him to the Coonoor Bungalow—*vide* original bills herewith sent; but Mr. Grant has recorded his opinion that 500 Rupees is sufficient compensation, covering, as it does, the value of permanent improvements.

6. As regards the Metapolliem Bungalow, Mr. Grant was led to give the notice which places it in the power of Government to terminate the lease on the 9th April 1867, in consequence of the repeated complaints of visitors of the dirt both as regards house and cookery, which practically closed to travellers the only building in Metapolliem fitted to give them shelter from the midday heat. The terms of the agreement drawn up by the Government Solicitor between the Collector and Mr. Smith expressly stipulate that the food and accommodation provided shall be to the satisfaction of the Collector, and the extreme inferiority of that provided by Mr. Smith, as compared with that of the Carrying Company in spite of the disadvantages under which the latter labor in having mere huts instead of a substantial building, is notorious. The excellence of the arrangements at the Carrying Company's Hotel are, in my opinion, due in no small degree to the competition, and I strongly recommend that the bungalow be dealt with mainly with a view to secure continuance of such competition. While, therefore, allowing the notice to remain in force, I would suggest that Mr. Smith be given to understand that should a satisfactory change occur in the interval, and one possessing guarantee of permanence, the ejectment under the terms of the notice will not be enforced. The travellers' book kept by Mr. Smith at first was submitted to the Board on the former occasion, and they expressed great satisfaction at the favorable remarks therein recorded. I, therefore, requested him to send me his book now, but he states that it has been discontinued in consequence of misapprehension caused

thereby as to the nature of the establishment, persons supposing it to be a Travellers' Bungalow. Mr. Grant, however, states that he always urged Mr. Smith to keep up the book, and that he is under the impression that he saw it a few months ago.

7. Mr. Grant's original Memorandum containing explanation on the proceedings adopted by him in regard to the two bungalows, is herewith submitted for the Board's information.

Enclosure No. 1.

Abstract.—Mr. Grant's Memorandum of explanation on the proceedings adopted by him in regard to the Coonoor and Metapolliem Bungalows.

Enclosure No. 2.—Bills.

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1. Ordered that the foregoing papers be submitted for the consideration and orders of Government.

2. The Board approve the resumption of the Coonoor Bungalow to which, indeed, Mr. Smith makes no demur.

3. With reference to the compensation to be granted to Mr. Smith on account of expense incurred by him at the Coonoor Bungalow, the Board consider that the sum proposed by the Collector is scarcely an adequate compensation, considering the loss which Mr. Smith has sustained on his total outlay. Mr. Smith, however, had every reason to expect that his lease of the bungalow would be long one, until (in fact) he should be disposed to give it up, and under all the circumstances of the case, the Board recommend that Rupees 1,000 be granted to him. They observe from the Acting Collector's separate letter sending up Major Farewell's revised estimates that the saving effected in the cost of providing accommodation for the Public Offices at Coonoor by resuming and converting the bungalow, is Rupees 7,000 on the original estimates.

4. With regard to the bungalow at Metapolliem; while the Board agree to the arrangement proposed by the Acting Collector, Mr. MacGregor, they consider that Mr. Grant ought certainly to have referred to them before giving Mr. Smith notice to quit. Mr. Smith does not appear in the case of either the Coonoor or Metapolliem Bungalows to have been informed that the notice was conditional on the Board's approving of Mr. Grant's plans, and it was hard on him, under such circumstances, to be warned, as though his having to vacate were a decided thing.

5. In their Proceedings, dated 15th May 1862, No. 3,148, the Board distinctly expressed the opinion that Government should withdraw from the obligation they had hitherto assumed of providing bungalow accommodation at Metapolliem, and in the change of arrangements it was not contemplated that the bungalow might be arbitrarily resumed by Government. Mr. Smith should, however, be given clearly to understand that the object Government have in view in letting the bungalow, is to promote the comfort and convenience of travellers; and that if this object is not attained, he must not expect to retain the lease.

6. The general testimony is that for cleanliness, good fare, and reasonable charges, the Carrying Company's Rest-house is superior to Mr. Smith's Bungalow Hotel, notwithstanding its greater advantages in the way of accommodation and position.

No. 536. Order thereon, 28th January 1867, No. 256.

Local Funds, No. 9.
Account.

1. The Government approve the resumption of the Coonoor Bungalow for conversion into public Offices, and sanction payment of the compensation recommended by the Board to the lessee Mr. Smith.

2. The amount, viz., Rupees 1,000, will be charged against the estimate for providing the Office accommodation in question, in which a large saving will be effected by the arrangement.

3. The Government concur in the Board's observations on the subject of the Metapolliem Bungalow. They approve the warning that it is proposed to give to Mr. Smith as to his management at that place.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
„ the Accountant General.

Ed. S. T. Augustin.

No. 8,032.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th November 1866.

Read the following letters:—

From Mr. E. SMITH, o the Secretary to the Board of Revenue, dated Coonoor, —— October 1866.

I beg to enclose copy of a letter that I have forwarded to the Collector of Coimbatore, with copies of bills for compensation, for expenses I had incurred on account of the Coonoor bungalow, and beg the Board will take my case into their favorable consideration, as I have been put to much loss, and grant me the compensation claimed for.

ENCLOSURE No. 1.

From Mr. E. SMITH to the Collector of Coimbatore, dated Coonoor, 23rd October 1866.

1. With reference to the compensation on account of the expenditure I had incurred on account of the Coonoor bungalow, I beg to attach bills for your satisfaction.

2. Had I known that the bungalow would have been required so soon for Government purposes, I would not have gone to so great an expense in furnishing.

3. In consequence of the bungalow having been taken away, I have had a large stock of furnitures thrown on my hands, which I was obliged to sell by public auction at a sacrifice having no use for them.

4. The curtains that cost so much are of no use to me whatever, neither can I sell them, as they were made to fit the windows of the bungalow, which is a dead loss to me as well.

5. The papering cost a large amount, which is also a dead loss to me. I have had the bungalows for about four years, and have paid 2,640 Rupees in rent, and it had not cost the Government a rupee in keeping the several bungalows in repairs, the cost of which I have not included. Under these circumstances, I am sure you will kindly recommend that I get compensation for the actual cost, as the 500 Rupees you kindly offered to recommend, I think quite inadequate. If you will please forward my [illegible] to the Board of Revenue, I feel assured that the Board will sanction it, and not think my claim an unreasonable one.

ENCLOSURE No. 2.—Bill.

From Mr. E. SMITH, to the Secretary to the Board of Revenue, dated Coonoor, 2nd November 1866.

1. I received notice, on the 10th of October, to vacate the Mettoopolliem bungalow: in reply, I wrote and asked if the bungalow was wanted for public purposes, as I did not consider it fair that I should be turned out to serve the interest of any party but Government, but up to this date received no reply.

2. This morning, the 2nd November, I met Mr. Grant, who is now living at the public bungalow, Coonoor, which was lately given up by me to Government, at Mr. Grant's request, for public purposes, and asked him why he wanted the public bungalow at Mettoopolliem; he told me he wanted to make it more available for the public.

3. I said as the majority were conveyed by the Carrying Company, they would, as a matter of course, drop passengers at their Hotel, which is rented by Joseph, a Native, as I would be only too happy if they came to my place.

4. In reply Mr. Grant said Joseph having no interest in the Carrying Company (in which statement the Board is, no doubt, fully aware Mr. Grant is mistaken) would be the proper person to have it!! To this I replied, as Joseph now rents the Carrying Company Hotel, he will continue to do so, (in his own or some other name,) and having through you got the public bungalow, and have a monopoly, to prevent which was the original object why Government gave me the bungalows.

5. Having now related all that has taken place with reference to the Mettoopolliem bungalows, I humbly and earnestly solicit the Board's protection against the Collector's proceedings, and beg that they will take into consideration, that I have been put to considerable expenses in purchasing palkies, ton-jons, horses, transits, &c., on the understanding that, as long as I continue to prevent a monopoly, Government would give me every encouragement and protection.

6. I further beg to point out to the Board that I was offered a large sum, by the late Agent of the Carrying Company, to go off the road, of which circumstance the Board is fully aware.

7. When the Collector requested me to give up the Coonoor bungalow, he most distinctly stated that he had well considered the matter over, and that it would be much to my advantage so to do, as the building was not to be given to any other party, but converted into public offices, (viz., Post Office, Police Station, Municipal Office, and Tahsildar's Cutcheri,) which would improve the position of my Family Hotel; under this impression I willingly gave up the bungalow, but I regret to say that I fear that I have incurred his serious displeasure, in some way I cannot account for.

Forwarded to the Acting Collector of Coimbatore for report. The disposal of all public bungalows is vested in the Board by the orders of Government, and it is not clear on what authority Mr. Grant has acted in the matters referred to by Mr. Smith.

(True Copies and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

To the Acting Collector of Coimbatore.

Exd. J. Wright.

(A true Copy and Extract.)

Secretary.

To the Secretary to Government, Revenue Department,
with Memorandum and Bills, and copy of Board's Proceedings,
6th November 1863, No. 8,032.

Copy to the Acting Collector of Coimbatore.
" Mr. E. Smith.

Exd. T. Cartledge.

No. 535.

Rev. 1867. Department.
Pro. of Govt. for Salary

No. 154

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 16th January 1867.

No. 282.

Submiting letter from Acting Collector of Coimbatore regarding Mr Smith's ejection from Coonoor and Mettapolliem Bungalows, and recommending grant of Rupees 1000 to Mr Smith as compensation for improvements effected by him to former Bungalow.

Rev. 1866. Department.

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 6th November 1866.

No. 8,038.

Forwarding to Collector of Coimbatore for report letters from Mr E. Smith, requesting compensation for expenses incurred on erection of the Coonoor Bungalow, and soliciting the Board's protection against his removal from the Mettupolliem Bungalow.

Revenue Department

No. 256.

Proceedings of the Madras Government
Under date the 28th January 1867.

Read the following
Proceedings of the Board of
Revenue.

Submitting letter from
Mr Collr of Coimbatore regarding
Mr Smith's ejectment from Coonoor
and Mettapollium Bungalows, and
recommending grant of Rs 1000 to
Mr Smith — consideration for
improvements effected by him to
former Bungalow. —

(Here enter 16th Jany 1867
No 22)

The Government
approve the resumption
of the Coonoor bungalow
for Public
offices, and sanction pay-
ment of the compensation
recommended by the Board
to the lessee Mr Smith.

The

The amount viz Rs 1,000 will be charged against the estimate for providing the office accommodation in question in which a large saving will be effected by the arrangement.

The Government concurs in the Board's observations on the subject of the Metropolitan bungalow.

They approve the morning that it is proposed to give to Mr Smith - as to his management at that place.

14 Copies to the Govt of Bengal Sanct 39
b — a Acct. Genl

Revenue 1867 Dispatch
Pro of Govt for Stamp

No 256

Pro of the Madras Govt
Dy 28th January 67

Rec'd 5th March 1867

No 535-536