

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	<i>1202</i>	Press Mis.
Dated <i>9th. September</i> 1859.		

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
from 3d to 9th September 1859.*

No. 37.

PROCEEDINGS of the MADRAS GOVERNMENT.

Dated 8th September 1859, No. 1202.

Read again Proceedings of the Board of Revenue dated 5th, and recorded in Proceedings of Government 10th August 1859, No. 1070.

1. The advances for placing boundary marks in Rajamundry and Masulipatam Districts, asked for in these Proceedings of the Board were granted in an order of the 10th ultimo No. 1070; the Government now proceed to consider the other question raised in them, viz. that of the recovery of the advances.

2. The boundary Act, XX. of 1855, requires occupiers to erect and maintain boundaries, or to pay for its being done by the Survey Department; but it is understood from Mr. Newill that the act is not found to work well in practice; as the occupier cannot fairly be called on to fix the boundary marks till the demarcation party has pointed out where they are to be; and when the party come to the village, they cannot without much inconvenience and loss of time wait the period (ten days) allowed by the act to the occupier to obey the requisition. Consequently the act has been a dead letter in this respect: the notices appear to have been given, in Rajamundry at least, but opportunity has not been allowed to act on them.

3. It is proposed by the Board therefore, on the ground that the occupiers cannot be made to pay the charges, that the Government should pay them. And they suggest that as the cost of the boundary marks will be recovered over and over again in Rajamundry and Masulipatam, in the first year of the new survey assessments, it is not worth while to take any separate means to recover it. Mr. Newill, however, at the close of his letter to the Board of Revenue of the 1st August No. 694, thinks the recovery of the amount quite legal under the act; and it is highly probable that in general it would be paid if demanded. It is quite insignificant in amount; only about eight or ten Rupees to a village.

**Pro. of Bd. of Rev. 19th Nov. 1857,
No. 4041, para. 31.
Pro. of Govt. thereon 15th Feb.
1858, No. 191, para. 16.
also do. do. dated 19th Jan.
1858, No. 70, para. 2.*

4. It was formerly ordered,* in the case of districts where a reduction of the assessment was expected as the consequence of the survey, that the cost of the boundary marks should be recovered by postponing for one year the introduction of the lower rates. But on re-consideration the Government are averse to such a course. Assessments are reduced, not merely from regard to the ryot, but also because it is considered that on the whole the lower rates are better for the revenue; to postpone that advantage then, for the sake of the trifling sum involved in the boundary marks question, appears an unwise sacrifice.

5. On the whole, the Governor in Council is of opinion that whether the result of the survey settlement is to raise or to lower the assessment, it is advisable that the Government shall take these expenses on themselves. In either case, they are benefitted; and these small individual charges could not be levied without waste of labor and some irritation. The expense of erecting the boundary marks will therefore be defrayed from the public treasury; and the charge will simply remain a debit to the survey.

6. In a late letter to Government† Mr. Newill noticed that he had sent to the Board a draft of a new and amended boundary act, as the result of the experience gained; this has not yet come before Government but they hope to receive it shortly with the Board's opinion.

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

that the Govt. sh^d pay them. but
in order to

I am of opinion
that, whether the Rev. No 33
assessment be
raised or lowered, an order was refused
it would be advisable
for the at once reversing the
Government advance acted for in this
to take these other expenses on better, but the reversing
itself. In either case as to the reversing
case the Government of these advances, remains
is benefited and these small individual
Section 28, 3.

charges could
not be levied
without much
waste of labour
and friction.

Edmund
10 August 1859

Quite agree

2. Act 20 of 1853, the
Boundary act, requires
the occupier to erect
a fence, or to pay for it
being done by the Survey
Dept. This act was
passed in 1853, and was
in force at the time
the survey was made.
The survey was made
in 1853, and was
in force at the time
the survey was made.

the recovery of the advances
The boundary act
XX of 1853, requires occupiers
to erect and maintain a fence
or to pay for its being
done

be called on to fix the boundaries,
the demonstration party has
limited out where they are to be;
& where the party come to the
vicinity, they cannot without
much inconvenience & loss
of time visit the limited
(the loss) allowed by the Act to
the occasion to show the requisition.
Consequently the Act has been a
dead letter in this respect. The
institute have been given, in
Regiment, at least, but the
particulars has not been allowed
to act on them - by the Board.
3. It is proposed therefore
on the ground that the occasion
cannot be made to pay the charge

that the foot will pay them. Mr.
Russell, however, (see the close of
his letter,) thinks the meaning of
the amount quite legal under
the Act; & it is highly proba-
ble that in general it will
be paid ^{if demanded}. It is quite insignificant
about 8 or 10 number 2 & 3 village.

Para 8.

4. The B^d suggest on the
other hand that as the cost
of the boundary marks will
be recovered over & over again,
in ^{the first year of the new} ~~the first year of the new~~
survey agreement, it is not
worth while to take any special
means to recover ~~the~~ it

Holds! Para. 19/57.
Para 31.
E. M. C. Jan 19/58

5. It was formerly noted,
in the case of District where
a reduction of the agreement

N 1202

Proceedings of the Board of Land Officers

Dated at Ottawa 8th September 1889

And again by order of the Board of Land Officers dated 27th and recorded in the Register of Government Lands August 1889 No 1175.

1. The advance for placing boundary marks in Rejoubement and Hamilton Districts asked for in these Proceedings of the Board were granted in an order of the 16th October 1879. The Government now propose to consider the other questions raised in them, viz that if the recovery of the same can be done.

The boundary act XX of 1888 requires payment to erect and maintain boundary marks, or to pay for its being done.

was expected as the consequence of the Survey, that the cost of the boundary marks should be recovered by postponing for one year the interest of the lower water. I think this was a mistake however. Perhaps the amounts are not so great, not many farms regard to the River but also because it is considered that on the whole the lower water is better for the River; to postpone that advantage. Then, for the cost of the trip they were incurred in the boundary marks creation, appears to me making an immense sacrifice. It will be better I think simply to let the charge remain a debt to the Survey. That but would have sent to the Board a doubt of a new & amended Boundary act, as the result of the experience gained. This has not yet even been sent.

16th Nov 1889

cannot be made to pay for change

done by the Survey Department, but it is understood from Mr. Swill that the act is not found to work well in practice, as the occupiers cannot fairly be called on to fix the boundary marks till the demarcation party has pointed out where they are to be, and when the party comes to the village, they cannot without much inconvenience and loss of time wait the period (ten days) allowed by the act to the occupier to obey the requisition. Consequently the act has been a dead letter in this respect. The notices ^{appear to} have been given, in Rajamundry at least, but opportunity has not been allowed to act on them.

It is proposed by the Board therefore, on the ground

ground that the occupiers cannot be made to pay the charges, that the Government should pay them. And they suggest that as the cost of the boundary marks will be recovered over and over again in Rajamundry and Masulipatam, in the first year of the new survey assessments, it is not worth while to take any separate means to recover it. Mr. Swill, however, at the close of his letter to the Board of Revenue of the 1st August 1864, thinks the recovery of the amount quite legal under the act, and it is highly probable that in general it would be paid if demanded. It is quite insignificant ^{in amount, only} about eight or ten rupees to a village.

It was formerly reduced

ordered, in the case of districts Pro: of Rev: 19 Nov/57, No 4044, para 31.
Pro: of Govt: thereon 15 Feb/58, No 191 - " - 16
where a reduction of the assess- also do do dated 19 June/58, No 70 - " - 2

ment was expected as the
consequence of the survey, so
that the cost of the boundary
marks should be recovered
by postponing for one year the
introduction of the lower rates.
But on reconsideration the
Government are averse to
such a course. Assessments
are reduced, not merely in
form regard to the ^{system},
but also because it is con-
sidered that on the whole
the lower rates are better
for the revenue, to postpone
that advantage then, for
the sake of the trifling ex-
pense involved in the bound-
ary marks question, appears
an unwise sacrifice.

5. On the whole, the Go-
vernment in Council is of opin-
ion that whether the result
of

of the survey settlement is to
raise or to lower the assess-
ment, it is advisable that
the Government shall take
these expenses on themselves.
In either case, they are bene-
fitted, and these small in-
dividual charges could not
be levied without waste of
labor and ^{some} irritation. There is
expense of erecting the bound-
ary marks will therefore be
depraved from the public
treasury, and the charges will
simply remain a debit to
the survey.

* Augt 20th 1858, No 708, para 3.

6. In a late letter to
Government Mr. Sewall re-
plied that he had sent to
the Board a draft of a new
and amended boundary act,
as the result of the experi-
ence gained; this has not
yet come before Government
but they hope to receive
it

in accord with the Board's
opinion.

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boundary maps and descriptions
of the Hudson Co. N. J.
to be prepared from public
records.

2/15/97

Wm. H. Hudson
Hudson Co. N. J.