M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 326 — Press ~~Mis.~~

366. 368

Dated 28- 2- ~~19~~ 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 25th February 1864.

No. 366. Read the following letters :—

From Captain R. H. BEDDOME, Officiating Conservator of Forests, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Camp Chicacole, 8th February 1864, No. 803.

SIR,

1. I have the honor to forward copy of a letter from Lieutenant Borradaile, Assistant Conservator of Forests, Salem District, and to request that Government will sanction his engaging the services of the Government Pleader in the suits alluded to.

2. It appears that a Mr. Johns has been felling and removing timber in Government forests in opposition to the published Rules of the District, and that he now institutes a Suit against the Forest Officer of the District for upholding the Forest Rules.

No. 367. From Captain R. H. BEDDOME, Officiating Conservator of Forests, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 24th February 1864, No. 809.

SIR,

With reference to your Official Memorandum, dated 18th ultimo, No. 24, I have the honor to forward a copy of the Plaint and of the voucher therein called for.

No. 368. ORDER THEREON, 25th February 1864, No. 346.

1. Forwarded to the Government Pleader, who is requested to advise Captain Beddome, as to the course to be pursued.

2. Captain Beddome will furnish Mr. Dale with any information he may require.

(True Extract.)

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

To the Government Pleader.
„ Conservator of Forests.

Exd. S. T. Augustin.

[illegible] page

Translation from the Tamil Plaint of Mr. H. Johns of Nagalore against Lieutenant G. C. Borradaile, Asst. Conservator of Forests.

For the price of the planks removed by the Defendant Rupees 720 —

I paid, Rupees 50 — to Deputy Tahsildar of Sherwaroy Hills on 15th December 1862 for 25 bandyloads of timber in order to cut in Nagalore field attached to Mogannore, also paid Rupees 350 — for Coolies immediately after I got the pass for felling trees and to cut them into planks, out of these worked planks, I placed some in Malayalee Manecara Coumdeni's field in Nagalore, some in Coumdappeni's field, and some within the limits of Mr. Millar's land, accordingly I put 115 planks under their charge, promising to pay each Malayalee four Annas a Month for their land, so they were kept for the last 8 Months under their charge.

when was plaint filed? who is to know what period is here referred to?

apparently 6 Jany the 8 Mos. wd. therefore be from when was it filed.

2 I was sending the planks down to Madras in the usual manner.

3. In September last the Defendant observing the planks, which were kept under the charge of Malayalees, asked for the pass which I shewn, he took it saying that he would return it after extending the time, but he did not do it, he also told me to remove the planks to Madras as quick as possible.

4. I incurred a loss by having 60 planks removed by the Defendant about 2 Months ago

ago from the abovementioned places, no time is mentioned in the pass, nor did I leave the wood in Jungle at my option, and the moment I had the pass, got the trees cut, and placed in charge of the above said Malayalees, but the Defendant removed them illegally, and made me to lose my property, therefore I want to get the price of the planks.

5. Please to get me the price of the planks from the Defendant at the rate of Rupees 12-- per plank, amounting to Rupees 720-- for 60 planks.

I have filed this suit according to Chapter 26. Act 8 of 1859.

True copy
Edwin Bradadale
Ass't Com'r of Forests

(Original)

Voucher No. 4.

[illegible]

Date. 15th December 1862

62 [illegible] 15--

Received Rs. (50) fifty.

[illegible] - 50 -

From Mr. W. Johns

[illegible]

Of Nagalore on the Sherravoy Hills.

[illegible]

For 25 hand-loads of timber

25 [illegible]

Signed A. Jones

L. gr.

True copy Edwin Bradadale
Ass't Com'r of Forests

Rec'd 4th Feb.

No. 18 Salem 26th January 1864.

From,

Lieutenant G. E. Boradaile
Asstt. Conr. of Forests.

To,

Captain R. H. Bedelome
Asst. Conr. of Forests.

Sir.

Some 13. Months ago a Mr. W. Johns, Supdt. of Mr. Miller's Estate at Nagalore, Shevaroy Hills obtained from the Deputy Tahsildar Gurcandoa Voucher in duplicate for Rupees 50—, on this voucher and without obtaining a Licence, Mr. Johns caused to be felled some 8 trees of Chittagong wood. In June 1863 this came to my knowledge (The cause of my not hearing this earlier, was that from there being very little Jungle on the tops of the Shevaroy Hills, I rarely sent a peon to examine it) On 4th July I went to Nagalore and saw Mr. Johns. He said that he was not aware that a Licence was necessary and that he had cut on the strength of having a voucher, he assured me that he was ignorant of the Rules of the Department and was not aware that there was any limit of time, within which the timber must be removed. I then gave him one month more within which to remove the timber. On 11th August I sent a Peon to the Cleaver to ascertain if the timber had been removed, and if not to Confiscate it. This was done and arrangements were made for the Taming up and removal of the timber. My

Contractor.

Contractor was however interfered with by some relatives of Wm Johns, to whom on the 4th September, I wrote a letter warning him against such proceedings. I also wrote the same day to the Deputy Collector Shevanyskills, requesting him to see that my Contractor was not interfered with. Mr Johns in a letter dated 22nd September denied the fact of any interference having been made and warned me of his intention to prosecute me. Matters remained quiet and my Sawyers had sawn into planks 2 of the logs when they had finished their work (19th October) the planks were stored and sheltered with grass Wm until the Contractor was prepared to remove them, about 11th December he found they had been removed. The Overseer on the 4th December saw Mr Johns who admitted having removed the timber to his house. I did intend to prosecute Mr Johns under the Penal Code, but illness, the Xmas Holidays and the absence of the Magistrate in the District prevented me, and I now purpose entering a Civil Suit against him, my plaint will stand also my defence in the suit instituted by Mr Johns in the Court of the District Moonsiff of Yercaud. Shevanyskills but which suit has now been transferred to the Court of the Principal Sudder Ameen of Salem.

2. I have the honor to request you to be good enough to obtain the sanction of Government to my engaging the services of the Government Pleader to conduct the two Cases.

on 6th January 1864, the original summons of plaint was served on me on 12th January 1864 and on 22nd January

3. The strange part of Mr Johns suit is, that he is at the present time in actual possession of the timber for the value of which he now sues me.

I forward a copy of translation of Mr Johns plaint which was made in Tamil.

I have the honor to be
Sir
Your Most obedient Servant
Signed J. G. C. Boreadaile Lieut
Asstt Conservator of Forests.

A true copy
R. W. Beddome Capt
Offg Conservator of Forests

In a letter from the Officiating Conservator of Forest to the Secretary to Government Revenue Department Fort St George dated 8th January 1814 No 803.

Rec'd 24th Jan'y.

Rec.d ~~Sept~~ Dec.r 1864
& Pro: of Gov.t Jo.s February
1865 - 434 -

To:
The Hon.ble Comm.rs of Forests

Fr
The Secy of Gov.t Ceylon Dep.t

Dated 8th Feb.y } 1864
Rec.d 18th — " — }

No 803

Enclosures
1

S.O. No 346. 23rd Feby

Forwards a letter from the Rt.d Comm.rs of Forests Sicily & requests Sicily Gov.t sanction that the Services of the Gov.t Sicilian may be given in two cases

Copy with the Orig.l Encls to the Lieut.t Gov.r - 25 Feb.y 65
R: 346.

2 R: 366.

L

10

1864. Rev.ª FOREST DEPARTMENT.
From Rec.d of Govt. dated 19th February
1864. No. 1491.

The Conservator of Forests

To

The Secretary to the
Revenue & Judicial
Board Fort St. George

Dated 24th February 1864.
Received 26th

No. 509

Enclosure. 2 Covers

No.
S.O. 1-346. 25th Feby
SUBJECT.

Forwarding a copy of the
Plaint and Decree called
for in Memo dated
15th Instt.

Copy with 2 Rejd.
Encls sent to the
Govt Pleader
25 Feby 64
O. 346.

No. 367.

115

Revenue Department

No. 346

Proceedings of the Madras Government
Under date the 25th February

Read the following
Letters from the Conservator
of Forests.

Forwarding a Letter from the Asst Conservator of Forests Salem District and requesting Govt's opinion from what the Services of the Govt Pleader may be given in two Suits

Hon.ble Sir Feby 15th 1864 No. 505

Forwarding a copy of the Plaint and Decree called for in Memo No. 24 dated 24th Ultimo

Hon.ble Sir 24th ditto ditto No. 509)

Forwarded to the Government Pleader who is requested to advise Captain Beddome, as to the course to be pursued

2. Captain Beddome will be furnished with

with the enquiries
he may require. —

L. W. S

Hc Capias Latitat Court Pleas Dec 4th 25 Eliz
me Court of Exchequer Oct 25 Eliz
& Capias Oct 27.

Revenue 1864 Deptt
Pro: of Govt for February.

No 346.

Pro: of the Madras Govt
Dt 25th February 1864.

Transm Engd Jurisdtn
Nos 75-76.

The Govt Pleader
to advise Captain
Beddome as to the course
to be pursued in the
matter of 2 Suits insti-
tuted by Mr Johns
against the Collr of
Salem.

c. v. 366 & 368.