M.R.O. 14

MADRAS RECORD OFFIC

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2061 Press ~~Mis.~~

313. 314

Dated 13 — 8 — 1866.

Not to be folded or roughly hand

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RH-95

Proceedings of the Madras Government, Revenue Department, 13th August 1866.

No. 313. Read the following Proceedings of the Madras Government in the Military Department :—

Communicating a letter from Quarter Master General on the subject of Lieutenant Freeth's conduct in the matter of a house within the Cantonment of Palamcottah, and also on the conduct of Majors Hessey and Barber, who appear to have acted as Lieutenant Freeth's advisers or supporters in resisting orders. } (Here enter 27th July 1866, No. 2,626.)

No. 314. ORDER THEREON, 13th August 1866, No. 2,061.

Miscellaneous.

1. Ordered that Lieutenant Freeth be informed, through the Officiating Superintendent of Revenue Survey, that His Excellency the Commander-in-Chief having been pleased to take a more lenient view of his conduct, the Governor in Council will not now remove him from his appointment. Lieutenant Freeth will, at the same time, be informed that the Governor in Council considers his conduct towards the Military authorities to have been extremely disrespectful and improper, and will understand that any recurrence of such behaviour will lead to his immediate removal from the Survey Department.

2. Majors Hessey and Barber will also be informed that their conduct in not advising, and, if necessary, ordering Lieutenant Freeth to yield obedience to the Military authorities was very reprehensible.

(True Extract.)

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

To the Superintendent of Revenue Survey.
„ the Military Department.

Erd. S. T. Augustin.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

Pros. of Govt., Revenue Department..... Here enter 20th November 1865, No. 2843.
,, ,, ... ,, 12th July 1866, No. 1726.
From the Quarter Master General..... ,, 19th ,, No. $\frac{372}{6399}$;

Proceedings of the Madras Government, Revenue Department.

Directing the Officiating Superintendent Revenue Survey, to obtain and submit Lieutenant Freeth's explanation of his disrespectful conduct towards certain Military Authorities. } Here enter 20th Nov. 1865, No. 2843.

Proceedings of the Madras Government, Revenue Department.

Passing observations on the papers relating to the conduct of Lieutenant Freeth, an Officer attached to the Revenue Survey Department, in not vacating a house within Military Cantonments at Palamcottah, when required to do so by the Cantonment Commanding Officer, and requesting the Commander-in-Chief to reconsider the case when final orders will be passed on the subject of his removal from civil employ. } Here enter 12th July 1866, No. 1726.

Referred to His Excellency the Commander-in-Chief.
13*th July* 1866.

From the Quarter Master General, Head Quarters, Ootacamund, 19th July 1866, No. $\frac{372}{6399}$; to the Secretary to Government, Military Department, Fort Saint George.

I have the honor, by order of His Excellency the Commander-in-Chief, to reply to the Order of Government, dated 13th instant, on the subject of Lieutenant Freeth's conduct in the matter of a house within the Cantonment of Palamcottah, respecting which communication was held with Government on the 4th November last.

2. The Commander-in-Chief observes that the explanation advanced by Major Hessey and by Lieutenant Freeth, in no wise alters the view he entertained at first of the disrespect shown to the Military Authorities by Lieutenant Freeth directly, and by Majors Hessey and Barber indirectly, both of the latter Officers having apparently acted as Lieutenant Freeth's advisers, or supporters in resisting orders.

3. It was shown to the satisfaction of the Commander-in-Chief by the Officer Commanding the Division, that the house in question was necessary for the occupation of an Officer of the 39th Native Infantry. The Officer Commanding a Cantonment is the appointed person to judge in the first instance of what is necessary in these cases, and if supported by the Officer Commanding the Division, there should be an end of all further discussion. But Lieutenant Freeth presumed to set at naught what he knew to be the authority of the Officer Commanding the station, founded on the Orders of Government, and left the station not only without taking any steps to obey it, but absolutely to defy it.

4. The correspondence upon which the Commander-in-Chief based his orders was forwarded to Government on the 4th November last, and has not been returned to this office: but that will best explain or refute the statement advanced in justification, *viz.* that there were houses vacant.

5. The part taken by Majors Hessey and Barber in this transaction, of which the Commander-in-Chief was previously uninformed, has materially contributed to placing Lieutenant Freeth in the position he now finds himself, namely in danger of being removed from his appointment: and considering the length of time that has elapsed since the matter was brought to the notice of Government, (eight months) without action having been taken on it, the Commander-in-Chief thinks that the degree of culpability which may be attached to Lieutenant Freeth, will be sufficiently punished, if the strong disapprobation of Government be conveyed to him, for had he not had the support of his superiors, it is possible that he would have adopted another line of conduct.

6. But the conduct of Majors Hessey and Barber, the Commander-in-Chief considers very reprehensible.

ORDER, No. 2626, 27th July 1866.

Ordered that the foregoing letter from the Quarter Master General, be communicated to the Revenue Department.

(True Extract.)

Deputy Secretary to Government.

To the Revenue Department.
" Quarter Master General.
" Adjutant General.

13th Aug 1808

2p 2061.

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Plea 13.

Plea 13th Augt 1808 Before Mr Baron Wood

Entered Roll Mich Term 48 Geo 3rd

By Recognizance the
Defendant is
Attorney General
to Answer Information
Plaintiff

Plea 13th Augt 1808

Commencement
Letter Plea 22 Oct 1808 Plff entitles
Defendt pleads Estoppel
and Bankruptcy to Action
Issue on last Plea
entered for Plff
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Revenue 1861 Dept.
Pro of Govt for August
No 2061

Pro of the Madras Government
of 15th August 1861

No 313-314.

The disrespectful
Conduct of Dr Freeth
of the Survey Department
towards Authority authorities
noticed.—