M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 3176 Press Mis.

200-201

Dated 14 F. December 1869

Not to be folded or roughly handled



Proceedings of the Madras Government, Revenue Department, 14th December 1869.

No. 200. Read the following Proceedings of the Board of Revenue, dated 10th December 1869, No. 9,073.

Read the following letter from Colonel F. J. B. PRIESTLEY, Superintendent, Revenue Survey, to the Acting Secretary to the Board of Revenue, dated Camp at Gazallapally, 19th November 1869, No. 2,771-79:—

Dated 5th November 1869, No. 8,206.

I HAVE the honour to acknowledge the receipt of the Board's Proceedings, directing me to make arrangements to admit of Major Hessey, acting as Commissioner in the Boundary dispute between Government and Nellambur Tirmulpad.

2. I beg respectfully to point out, that if Major Hessey is to be altogether removed from his duties as Deputy Superintendent of Revenue Survey, the work under his charge must be left to an officer altogether without experience, but if Major Hessey's services are merely required to supervise the definition of the disputed boundary and the preparation of the requisite maps which duties will not necessitate his relinquishing the charge of his office, there can be no possible objection to his undertaking those of Commissioner.

3. I beg to enclose copy of correspondence on the subject, which I trust will show that I have no desire to throw impediments in the way of the Government service, as might, perhaps, be surmised from the letter of the Judge of Calicut.

ENCLOSURE No. 1.—Correspondence.

SUBMITTED for the orders of Government.

2. In order to facilitate the disposal of the suit brought by the Rajah of Nellambur against Government, in the Calicut Court, for a portion of the Neilgherry Plateau, in the vicinity of Nediwuttum, it became necessary for the Civil Judge to appoint a Commissioner to survey and report on the boundaries and position of the lands litigated.

3. The Advocate-General, at the suggestion of the Collector, named Major Hessey, at present employed in charge of a Survey party, working in Coimbatore and on the Neilgherries, and the Civil Judge under the impression that there would be no difficulty made in placing Major Hessey's services at the disposal of the Court, temporarily for this duty, appointed him, and applied to the Director of Revenue Settlement for the issue of necessary instructions. The letter was referred by Mr. Master to Colonel Priestley for disposal. In the meantime, the Board having been informed of the Judge's nomination, requested Colonel Priestley to be good enough to make arrangements to admit of Major Hessey acting.

4. Colonel Priestley was at the time and is still absent from Madras, and having received the Civil Judge's letter, replied, requesting information as to the probable duration and requirements of the duty, adding that Major Hessey's own special avocations so fully occupied his time that he feared it would be impossible to spare his services except for a very short period.

5. Subsequently, on the receipt of the Board's Proceedings, Colonel Priestley writes that there can be no possible objection to Major Hessey being detailed for the duty, if his services are merely required to supervise definition of the disputed boundary, and preparation of the requisite maps, which duties will not necessitate his relinquishing charge of his office; but while disclaiming any wish to throw impediments in the way of the public service, points out, that if Major Hessey is to be altogether removed from his duties as Deputy Superintendent, Revenue Survey, the work under his charge must be left to an officer altogether without experience.

6. It is impossible to say exactly the time likely to be occupied by this inquiry, or whether it will be necessary to relieve Major Hessey temporarily, but the Board apprehend that a fortnight will suffice to enable the Commissioner to demarcate the tracts claimed by the Rajah, and examine the few witnesses likely to be forthcoming. The actual survey will, of course, take longer, but the presence of Major Hessey will not be required during the whole time it is in progress.

7. The work appears to the Board essentially connected with the Survey of the Neilgherries, and as Commissioner, Major Hessey will have much the same additional duty to perform, as would have been the case had he been appointed Settlement Officer under the Revenue Survey Act, except that instead of passing a decision, he will submit his report to the Court.

8. Had Colonel Priestley been in Madras, the Board do not believe that there could have been any difficulty in arranging the matter or any necessity to refer to Government, as the Superintendent has at all times shown the greatest readiness to meet the wishes of the Board; but as considerable delay would be occasioned in communicating with Colonel Priestley, and as the case is one in which the Board would be going beyond the limits of their power in regard to Survey operations, by issuing orders direct to Major Hessey, they resolve to request Government to direct that officer to place himself at once at the disposal of the Civil Judge.

9. The necessity for avoiding further delay will be perceived by referring to paragraph 6 of the Civil Judge's letter of the 11th November, in which he states that his nomination rested on his having assumed from the Advocate-General's representation, that there would be no departmental objection, and no delay, the suit having already been repeatedly delayed on the application of Government.

No. 201. ORDER THEREON, 14th December 1869, No. 3,176.

Land Revenue.

THE Government sanction the employment of Major Hessey as Commissioner for the survey of the boundary in question. Should this duty involve his absence from the Survey Party under his direction for a longer period than the Board anticipate, the Superintendent of Revenue Survey must arrange to place another officer in charge.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.
,, the Superintendent of Revenue Survey.
,, the Accountant-General.

Exd. E. C. Shunker.

No 3176

Govt. of {1869} Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., &c.

Dated December, 14th.

Read. *Encl.*

G. O., 14th December 1869, No. 3,176.

DECEMBER.

Nos. 200-201.

Boundaries of Nellamboor Tirupad's lands on the Neilgherries.—Passing orders with reference to the employment of Major Hessey as Commissioner for the survey of the boundary in dispute.