

Read the following letters :—

No. 150. From Colonel F. J. B. PRIESTLEY, Superintendent of Revenue Survey, to the Hon. R. A. DALYELL, Acting Secretary to Government, Revenue Department, dated Bangalore, 26th June 1873, No. 1,452-49.

ABSTRACT.—Reporting, with reference to G. O., 28th May 1873, No. 547, that it is believed that Captain Godfrey objects to certain demarcation stones on the line due north from Nilgiri Peak.

No. 150A. From Captain T. H. GODFREY, to the Hon. R. A. DALYELL, Acting Secretary to Government, Revenue Department, dated 9th July 1873.

ABSTRACT.—Requesting to issue an order to the effect that the demarcation stones, though allowed to remain, are to be taken as only indicating the boundaries of the lands conveyed by him to different parties.

No. 151. ORDER THEREON, 18th July 1873, No. 744.

Miscellaneous.

THE Governor in Council understands that Captain Godfrey does not object to the trial line of survey from

Nilgiri Peak, and this line had no reference to Captain Sargeant's decision which has been declared invalid by the Calicut Civil Court.

2. It further appears from Captain Godfrey's letter that he does not now desire the removal of the stones which demarcate his own coffee-lands and the four estates which he has parted with, provided a declaration be made by Government that this demarcation in no way limits his title to 600 cawnies of land only.

2. Under these circumstances, the Governor in Council resolves to direct, in supersession of the instructions contained in the G. O., under date 1st May 1873, No. 446, that the demarcation therein mentioned be not disturbed, and hereby declares that, inasmuch as the decision of a certain boundary-dispute between Mr. James Ouchterlony and Captain T. H. Godfrey, regarding certain lands in the neighbourhood of Yellamallai which was passed by Captain C. C. Sargeant, Assistant Superintendent of Revenue Survey, on the 2nd May 1871, has been declared by the Civil Court of Calicut, in its Proceedings, dated 5th February 1873, to be an invalid decision (owing to its failing to show that the officer passing it had been specially authorized to adjudicate), the demarcation of certain lands now and formerly in the possession of Captain T. H. Godfrey in accordance with that decision, must not be taken to define, limit, or infringe in any way the said

Proceedings of the Madras Government, Revenue Department,
18th July 1873.

Captain T. H. Godfrey's rights in these or any other lands in the neighbourhood,
or to have in any way affected the respective claims of the said Mr. James
Ouchterlony or Captain T. H. Godfrey to any such lands.

(True Extract.)

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

To the Superintendent of Revenue Survey.

„ Captain T. H. Godfrey.

„ H. Wapshare, Esq., Agent to Mr. James Ouchterlony.

From

The Superintendent Revenue Survey.

To

The Secretary to Government
Revenue Department.

SIR,

In reply to G. O. dated 28th May 1873 No. 547,
I have the honour to report it was not till after
enquiry, that it was discovered that the line of which
Captain Godfrey objected to permit the marks to
remain in the ground is the trial line due North
from Neilgherry Peak. As Captain Godfrey states
in his letter to the Secretary to Government, that he
complained of demarcation stones erected to define
a tract of 600 Cawmes of land as the total amount
of my holding at Yellamullee attention was directed
to the properties named in the margin, which

Busroo
Periashola
Chesterton
Muthillie Mullay
Yellamullee
(including Panther
& Sankhar)
Lower Coffee.

containing
about 600
cawmes

have been marked out to the satisfaction
of the present owners, the others being blocks
of coffee cultivation only.

2. It is difficult to understand
how the trial line from Neilgherry
peak can be considered as designed
to limit Captain Godfrey to 600 cawmes,
as inspection of the accompanying
sketch will shew. It is not in the power
of the Survey Department to state whether it passes
through

through Arrata Para claimed by Captain Godfrey,
the limits of this land not having been defined &
the trial line being reported in that locality to be
carried through Waste & jungle.

3. I would suggest in order, to satisfy Captain
Godfrey that the stones he may point out as placed
within "Arrata Para" limits should be removed. The
trial line has been run & surveyed at a considerable
expenditure of labour & time & except where it is distinctly
unfavourable to Captain Godfrey's claims, Government
may perhaps consider it inadvisable to obliterate it.

I have the honour to be
Sir

Your Most Obedt^l Servant

Printly bal

Superintendent Re Survey

Copd 30
Exd 113.

12 1881/73

Map showing
survey relating
to the boundary
between the
free line

20 18 July 73

Mr. J. H. A.

20 18 July 1873



20 28 July 73 200 212-15

Handwritten notes at the top of the page.

20 18 July 73

From the Surveyor General

To the Secretary to the

Department of the Interior

Dated 26 June 1873

20 18 July 73

Enclosure 1

5 20 18 July 73

to G. O. 20 18 July 73

20 18 July 73

which Captain Sargeant

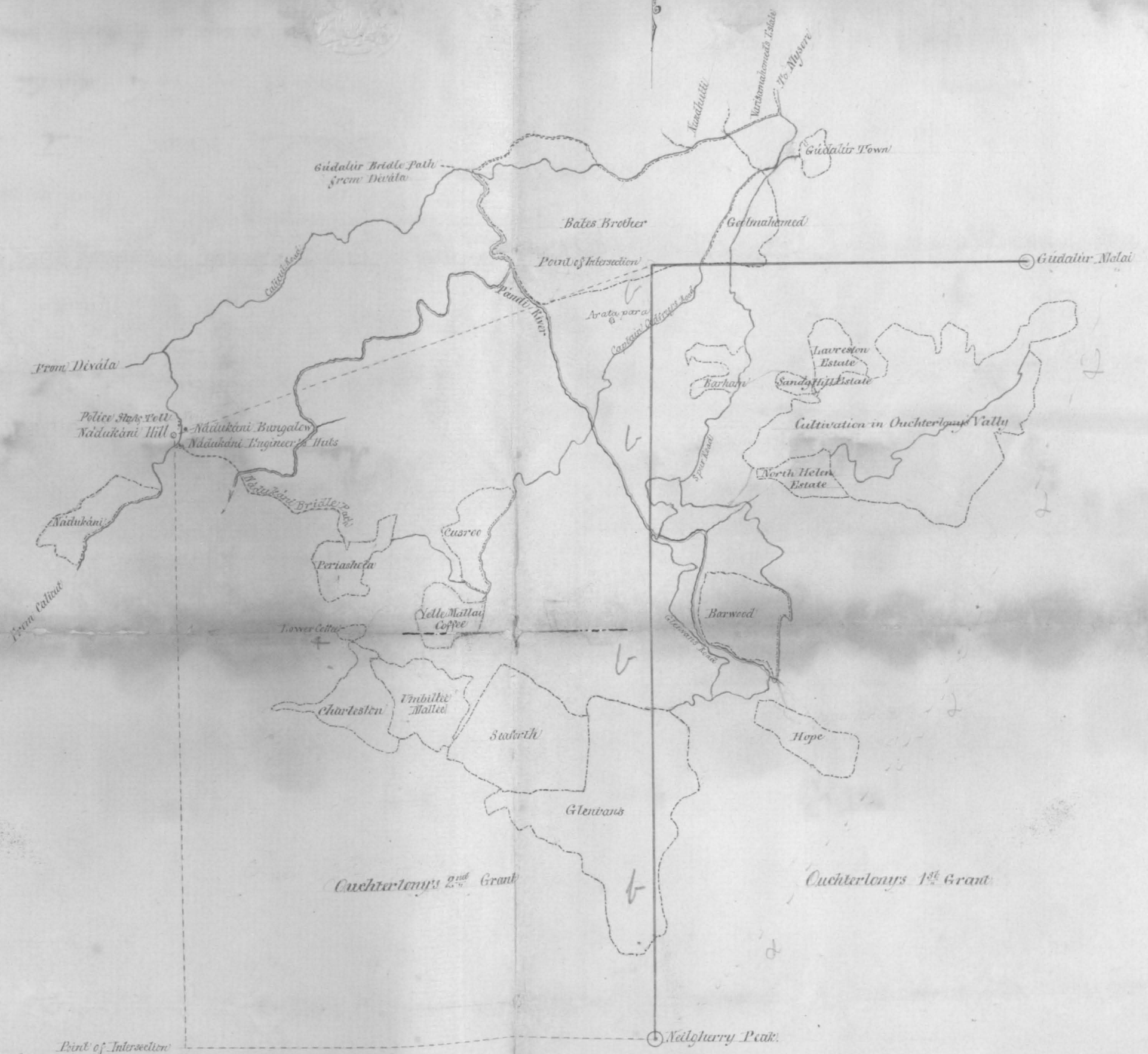
objected to permit the

marks to remain on the

Cancelled
by order of the
Commissioner

will be
done as
separate letter

Resolved that Captain Sargeant be informed
that the Govt. understands from the Surveyor
that he takes objection to certain demarcation
stones on the line due north from Red Pine Peak,
but not to those demarcating certain lands and
cultivation west of that line, and that he be
requested to state distinctly what demarcation
stones he desires to have removed as having been
laid down in accordance with Captain Sargeant's
decision, which has been declared invalid by the Civil
Court.



2222. Ridge running from
hill to peak of Gudalur hills
from 2.70 17 Aug 1872 No. 1,205.
L.S.
6666. That line
from 2.14 14 Oct 73 No. 1,102.
L.S.

136
Bota Camund 9th July 1873
To the Secretary to Govt
Prov^l Depart^{mt}

Sir

With reference to the interview I had the honor to have with you yesterday I would point out that the Govt the removal of boundary stones alluded to would do me would be to prove to the public that the land within my own boundaries is in reality my own property, and that Govt are knowledge the mistake made by the Asst Superintendent Res^l Survey. This would ~~not~~ give confidence to parties wishing to purchase land, or timber. But if Govt could kindly give me an order as suggested by you Sir yesterday, to the effect that ~~the stones~~ ^{they} ~~be~~ allowed to remain, ~~as~~ not to be taken as indicating any thing more than what ^{they} are in fact - the boundaries of the lands conveyed by me to different parties. This order if permitted I would propose to publish, and this would answer the same purpose as obliterating the boundaries, reported, and believed ^{generally} to confine me to my own claims of land.

I leave the honor to be Sir
Your Most Obedient Servant
H. J. O'Freely

That a declaratory order to
this effect may be passed.

In memo for orders

Rev. Sumner. Capt. Jodrey -
Jodrey's objection to certain
demarcation stones on his land.

26 June 73. No 452 & 9 July 1873
49

Since Dec 1881 was circulated, with draft G.O proposing that Captain Jodrey should be called upon to specify precisely what demarcation stones he objects to, he called at the Fort Office and explained that he has, in fact, no objection to any of the demarcation stones remaining, provided that they are not taken as restricting him to the lands so demarcated. He has since addressed to Fort a letter to this effect (No 2031) asking that a declaratory order to this effect may be passed.

Eq. 18 Party 173 the 7th

It will be in the recollection
of you that Captain Godfrey
holds a deed of 1848 granting
him a portion of land, called
Dodelagula Sholad, containing
600 canones, within certain
boundaries on the north, south,
east & west, and that Mr.
Buckley holds another
deed of 1853 granting to him
all land within certain specified
boundaries "except the 600
canones called Dodelagula Sholad"
"bounded as above described which
"had been previously assigned
to Captain Godfrey."

The dispute then between
Captain Godfrey & Mr. Buckley
is whether the deed of the
former conveys to him all
the land included within
the boundaries specified
in it, which is estimated

A private
not publ deed -
188

at 600 canones, or only permits
him to occupy 600 canones within
those limits for coffee cultivation.

The survey Dept in their
decision adopted the latter
view and have demarcated
and surveyed four properties
which Captain Godfrey has
parted with containing 610
canones. They have also
demarcated and surveyed
two other blocks of coffee
cultivation which are in
Captain Godfrey's own possession.

It seems a pity to disturb
these surveys unless absolutely
necessary, or the survey
of the line north of ^{from} Kailash
Peak as Captain Godfrey
tells me he does not object
to this. It is clear too that
the mere removal of the
stones will not help

Captain Godfrey. They
 were put down in accordance
 with the Survey Officer's decision
 upon which Dr. Bachelder's
 people choose to act, though
 it has been declared invalid
 by a Court of law, and until
 Captain G. can obtain a
 decree of Court declaring
 him under his deed to be
 entitled to all the land
 within the boundaries instead
 of only 600 acres, they will
 probably continue so to act
 whether the stones are removed
 or not. It is submitted that
 the annexed amended order
 may be passed upon the
 two letters Nos 1881 & 2031

MS

No 1881 & 2031
 Capt. Geo. Humey & Capt. Godfrey
 Capt. Godfrey's objection to
 certain demarcation marks in this
 state.
 No 444 = 18 July 1873
 26 June 73. No 1452, + 9 July 1873.
 49
 These two letters are printed
 in abstract.

The G. in C. understands

Godfrey does
 the trial line
 Heilsheng Peak,
 has no
 Captain Langley
 has been
 valid of the
 Court.

appears from
 my letter
 not some
 removal of
 which demarcate
 also, and
 the which he

has pointed out, provided
 a declaration be made
 by Govt that this demarcation
 in no way limits his title

Captain J. H. Godfrey.
 Requesting to place an order to the
 effect that the demarcation stones though
 allowed to remain are to be taken as only
 indicating the boundaries of the land con-
 veyed by him to Heilsheng Peak.

Capt. Humey Survey.
 Reporting with reference to S.O. 28 Aug 73
 No 537 that it is believed that Capt. Godfrey
 objects to certain demarcation stones on the
 line due north from Heilsheng Peak.

26 June 1873.
 No 1452
 49.

9 July 73

Captain Godfrey. They
have put down in abundance
with the survey of our decision
upon which Dr. Bacheler

people choose
it has been
by a Court of
Captain G. C.
decree of Court
his under
entitled to
within the
of only 600
probably can
whether the
or not. It
the answer
may be put

Two letters Nos 1881 & 2031

MS

2. 110 1881 & 2031. No 444 - 18 July 1875. 23^{le}
Sup. Rev. Survey & Capt. Godfrey.
Capt. Godfrey's objection to
certain demarcation marks in this
estate.
+ 26 June 73. No 1452, + 9 July 1873.
+ These two letters are printed
in abstract.

The G. C. understands
that Captain Godfrey does
not object to the trial line
of survey from Redghey Peak,
and this line has no
reference to Captain Sargent's
decision which has been
declared invalid by the
Calicut Civil Court.

S. D. S.

It further appears from
Captain Godfrey's letter
that he does not now
desire the removal of
the stones which demarcate
his ^{own} coffee lands, and
the ~~former~~ ^{former} estates which he
has parted with, provided
a declaration be made
by Court that this demarcation
in no way limits his title

To 600 canons of land only.

Under these circumstances
The G. in C. resolves to direct,
in supersession of the instructions

contained in the G. O. under
date 1st May 1873 No 446, that

the demarcation ^{mentioned} ~~then referred~~

^{is to be} ~~to be~~ permitted to stand, and

that a notification be issued

in the ~~East of~~ ^{the} ~~George~~ ^{Georgian} Gazette,

by the ~~Supt of Revenue Survey~~

to the effect (that inasmuch

as the decision of a certain

boundary dispute between

^{James} ~~Mr. Buchterlong~~ & ^{T. H.} ~~Captain Godfrey~~,

regarding certain lands in

the neighbourhood of Yellamakkai,

which was ~~passed~~ ^{passed} by Captain C. C.

Sargeant, Asst. Supt. of Revenue Survey,

on the 2nd May 1871, has been

declared by the Civil Court of

I do not think

he need do this.

I would only say

"and hereby

declares

The Supt of Rev Survey

Captain T. H. Godfrey

H. Wapshare Esq, Agent to
Mr. James Buchterlong

its Proceedings dated 25th Feb 1873
Calicut in ~~the~~ order

to be an invalid decision,

(owing to its failing to show that

the Officer passing it had been

specifically authorised to adjudicate)

the demarcation of certain

lands now, and formerly, in

the possession of Captain

T. H. Godfrey, in accordance

with that decision, must

not be taken to have

defined, or

infringe, in any way, the

said Captain T. H. Godfrey's

rights in these, or any

other lands in the neigh-

-bourhood, or to have in

any way affected the

respective claims of the

said Mr James Buchterlong

or Captain T. H. Godfrey, to

any such lands.

Memo + Draft
—
Vacation marks
Capt Godfrey's land

Obbt. of {1879} *St. Andrew*

REVENUE.

2.

THE SUPERINTENDENT OF
REVENUE SURVEY.

Ac., Ac., Ac.

Dated July 18th.

Recd.

2nd

G. O., 18th July 1879, No. 744.

JULY.

Nos. 150-151.

Captain Godfrey's Lands on the Nigritia.—
Declaring in supersession of G. O., 1st May 1873,
No. 446, that the demarcation of— he not taken
to have in any way affected the respective claims
of Mr. James Ouchterlony or Captain
T. H. Godfrey to any of the lands.

