M.R.O. 1—33,000—16-1-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1013-1014 Press Mis. 87-90

Dated 8-7-1864

6/7

Not to be folded or roughly handled

[redacted]

Read the following

No. 87. From N. [illegible] Secretary to Government,
Saint George, date[illegible]

W[illegible] October
ber 185[illegible]
the correspond[illegible]
vinces and the Judge of [illegible]
to the Commissioner of Ben[illegible]
ed to the Madras G[illegible]
Do[illegible]

July
1845, for R[illegible]7,896-6-10. [illegible]a-
sury of Madras or presented by any one[illegible]r-
est. Jeynarain Doss and Juggernauth D[illegible]f
this property which the Government of M[illegible]
behalf to g[illegible]
the[illegible]k to know w[illegible]
new Notes[illegible]
2. T[illegible]mmry the [illegible]

para-
h's report, dated

16th May 186[illegible]
FORT SAINT GEORGE, (Signed) A. J. ARBUTH[illegible]
10*th June* 1864. *Chief S*[illegible]

No. 88. From J. R. BOYSON, Esq., Government Solic[illegible]
Honorable A. J. ARBUTHNOT Chief Secretary to G[illegible]
dated 29th June 1864, No. 358.

I hav[illegible] to acknowledge the Or[illegible]

Dat[illegible]
Paliologus, to Gov[illegible] [illegible] Attorn[illegible]
behalf of Jeynaram Doss and J[illegible]uth Doss for inform[illegible]
Notes of the late Tanjore debt for Rupees 17,896-6-10 each.

2. I submitted it together with the late Advocate General's report to Government of the 16th of May 1863, for the consideration of the present Advocate General, with whom I have also conferred; and

3. I now forward a copy of his opinion, and return the order above noted.

COPY—OPINION.

Who is Paliologus? I think the only answer which the Government should give is that any party claiming the fund must proceed to establish his rights as advised.

2. The present application *assumes* that the parties on whose behalf the present application is made *are* the legal representatives of those in whose favor the award was made, and as such legally entitled to the amount in the hands of the Government.

Pro[illegible]s of the Madras G[illegible]ent. J[illegible] Department

8th July 1861

[illegible]ny predecessors.
[illegible] before me, but I see that Mr. George Norton so
[illegible] Accountant General, pronoun[illegible]

[illegible]dy
the
his
[illegible] the
[illegible] the gre[illegible] [illegible] large a sum to a party not legally entitled to it.

(Signed) J. P. NORTON

(True Copy.)

(Signed) J. R. BOYSON,
Government Solicitor

No. 90. ORI[illegible]564, N[illegible]
[illegible] be sent to M[illegible] [illegible]ne
[illegible]st paragraph of his opinion.
(True Ex[illegible]t)

Mxd. J. Tulloch.

Precis of Papers connected with
Tanjore Bonds.

Letter fr. Secty Govt N. W. Provinces to Offg. Commissioner Benares 9th May 1863.

In pursuance of the award of the Tanjore Commissioners, a Promissory note of the value of Rs 53689.4.0 was the given in to the Representatives of the late Khas Bibi Begum Saheb, and enquiries were accordingly made of the Judge of Benares as to who these representatives were

Upon his reporting them the certain individuals

Ram Krishen
Jye Narain
Sujan Singh
Madho Sahae
Deene Sahae.

marjin. of whom Ram [illegible] dead &c.

requested to appoint their attorney at Madras to receive the notes, & promissory notes were accordingly issued in their favour, and given to one Hurri Kishen Dass their supposed rightfully constituted attorney.

Doubts having arisen about the transaction the Lieutenant Govr was requested this court whether the parties had received their notes and if not, who the present holders were. In answer to this a

they had never received
that on [illegible] last
that they must
[illegible] as [illegible]

This answer not being
considered satisfactory
him from the Govt of India was
sent to the Commissioner of Benares
to make such enquiries in the matter
as he deemed necessary, especially

the parties had suffered so many
years to elapse without making
enquiries about their notes.

From these further enquiries E. Innis
it was elucidated that, as was
suspected, the bonds delivered to
Hurri Krishen Das had never
reached their proper destina-
tion, and the Govt in order to dis-
cover any clue that might
have existed between this attor
ney and the parties he was sup

posed to represent determined to
communicate again with the Lieutenant
Govr of the N.W.P, requesting him to
forward the original powers of attor-
ney and Extracts from the Reports
of the Commission of Enquiry, and
with a view to discover the present
holders of the notes, they determi-
ned to give notice by Advertisement
in the Gazette of Payment of the
notes at the end of 15 months, at
the expiration of which time interest
on them should cease. This was ac-
cordingly done.

Upon the representations of Lad-
lee, the acting Government Solici-
tor various measures were taken
for producing the necessary evidence
and documents in the case, as it
appeared that a certain person
Insomesawmy Chetty had instituted proce-
dings against the Secretary of State
and others for these bonds on behalf
of Jowa Sawasa Prasaud, and
the suit which was begun on the
1st Feby 1859 was dismissed with
costs on 28th July 1862. Mistake.
It appears that the alone plain-
tiff had no connection with

Proceedings Madras Govt
Jud! Dpt 8th Oct. 1861.
do 14th Nov. 1861.
do 21st Oct. 1861.
do 15th Feb. 1862.

Proceedings of Madras Govt Jud! Dpt
6th June 1862.

with the Rajah of Tanjore or his Bonds and had only given Bonds and Promissory notes they only as the Claims of others, as were to be paid only in the event of his succeeding -

It appears that the Bonds have never been presented for payment of interest and never reached the hands of the parties for whom they were intended.

On 30th May 1862 a letter was received by the Madras Govt. from Mr. Paleologus Attorney at Law and Notary Public, who appears to Know on behalf of Ize Narain Doss, & Jugger Nath Doss whether the Government will grant new notes instead of the two promissory notes for Rs. 17996-6-10 which have been lost or fraudulently made away with - the usual indemnity being given -

In the former Case of these parties preferring their claim Mr. Sydney Smith lays down the course that might have been pursued by Govt. in para 9 of his report of 6th June 1863. viz that they might first have substantiated their claim before a Court of Equity, and that then Govt. could have acted upon it -

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters -

From N. Paleologus ——— Entered 17th May 63.

" the Govt. Solicitor ——— 29th June " No. 358.

Order — 8th July 1863. No. 1013.

Ordered that a reply be sent to Mr. Paleologus to the Effect suggested by the Advocate General in the first para. of his Opinion.

The Govt. Solicitor. } desp. 14/7
" Acct. Genl. }

Judicial

No. 1014.

To Paliologus Esqre — Calcutta.

Sir —

I am directed to acknowledge your letter of the 17th May last, applying on behalf of Sepnarain Dofs & Suggernauth Dofs, for information respecting 2 Promissory Notes ~~of this~~ ~~Debt~~ for Rs. 1,98,[illegible] each, & to state in reply that your clients, if they consider themselves entitled to the fund, must proceed to establish their rights as advised.

Fort St. George
8th July 1864.

I have &c.

(Signed) [illegible]

Secy to Govt.

Judicial

1864. Department

No. 1014

PROCEEDINGS of GOVERNMENT

Dated Fort St. George 8th July 1864

12-5-20

C.S. Duly
167 11

[redacted]