M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1176 — Press ~~Mis.~~

604-604

Dated 10-6-1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
10th June 1861.

No. 100. Read the following Proceedings of the Board of Revenue, dated 31st May 1861, No. 2,792 :—

Read the following letter from W. FISHER, Esq., Collector of North Canara, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated Sircy, 23rd May 1861, No. 74.

SIR,

With reference to the Board's Circular, dated 27th April 1829, I have the honor to submit herewith for their approval, draft of an answer which I propose to file in defence of Original Suit, No. 95 of 1860, instituted against me and three others, by one Subraiya the late Shaubhog of Mirjan, in Ankola Táluq, agreeably to the certificate granted by the Board under date the 22nd May 1860. I beg also to forward translation of the Plaint filed in the said Suit.

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1. Ordered to be submitted to Government with the Board's recommendation, that the defence of the Suit in the first instance at the public expense be sanctioned.

2. The Board would modify the draft answer as shown in red ink, and if approved by Government a corrected draft will be sent to the Collector for filing.

3. The omission to name the date on which the answer is to be filed is very reprehensible, and likely to lead to serious inconvenience in many cases.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 101. ORDER THEREON, 10th June 1861, No. 1,176.

1. The Honorable the Governor in Council sanctions the defence in the first instance at the public cost of Original Suit, No. 95 of 1860, instituted by one Subraiya against the Collector of North Canara and others in the Court of the District Munsiff of Ankola; but he will determine, when a copy of the Decree is submitted, whether the costs, if any be adjudged against the Collector, shall be borne by that Officer or by the Government.

2. The draft answer as modified by the Board, will be filed.

3. The Board have properly reproved the Collector for not having mentioned the time allowed for answering the Plaint.

(Signed) J. D. SIM,

Secretary to Government.

Note. The Plff a Village Karnam was tried by the Resl. asst. Sessns. under Reg IX of 1822 for falsification of accounts. convicted and fined Rs 40-10-0 the sum lost & prt by the false entries in his accounts.

He appealed & the Bd. who upheld the Colrs decision and as required by cl 2 Sect VI Reg VII of 1828, referred him to the Courts for redress. This Suit is the result.

The Plffs answer seems sufficient.

As regards Plffs dis. missal the Courts have no jurisdiction.

It seems anomalous that a Collr should be liable to a suit under one Regn while another Rule gives him exemption from such liability. But such is the law.

J. D. S. — v. published first weekly.

Rev: 1861 Department
Exo: of Govt. for 2 June.
1302.

Proceedings of the
Board of Revenue

Dated 31st May
Recd 3rd June do
Encs 2 Ans Encs
Encs 2 - No: 2792

Submitting a letter from the Collector of North Canara reporting on C.S. No: 95 of 1860 and recommending that the defence of the suit at the public expence be granted.-

No: 100 & 101.

No 1176. 10th June.
Volkart Bros

2 June No 1176

No 1176.

The Hon. the Gov. Council sanctions the defence in the first instance at the public cost of C.S. No 95 of 1860 instituted by one Subraya against the Collector of North Canara and others in the Court of the District Moonsiff of Honawar, but he will determine when a copy of the Decree is submitted, whether the costs, if any be adjudged against the Collector shall be borne by that Officer or by the Government.-

The draft answer as modified by the Board, will be filed.-

The Board have properly disapproved the Collector for not having mentioned the time allowed for answering the plaint.-

Forwarded to
10th June 1861
Board of Revenue
with No 2 Encls. Encl 10