

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	403	Press
		~~Mis.~~
	450.451	
Dated	23 - 2 - 1865.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
23rd February 1865.*

No. 450. Read the following Proceedings of the Board of Revenue, dated 10th February 1865.

Read the following letter from CLEMENT DALE, Esq., Government Pleader, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Madras, 6th February 1865, No. 30 :—

SIR,

1. With reference to the Order of Government, under the date and number noted in the margin, I do myself the honor of reporting, for the information of the Board that the R. A. 22nd November 1864, No. 1,570, Judicial Department. No. 64 of 1864, came on for hearing on the 28th ultimo, when the Appeal was dismissed with costs.

2. I have bespoken a copy of the Decree, and will do myself the honor of forwarding the same when obtained.

3. On perusing the copy of the written statement furnished by the High Court, or perhaps I should more properly style it a copy of the translation of the written statement, I observed that although in substance much to the same effect as the written statement prepared by me, the language is different; and in some respects, if the translation be correct, may prove (in the event of future proceedings) prejudicial to Government. In preparing pleadings in which admissions are made, it generally requires great care and nicety of language to prevent undue advantage being taken of the admission, and when a pleading has been prepared by a professional man the Native Vakeels to Government should not be permitted to re-cast such pleading. If in settling a pleading any error may have been made by me, consequent on a misunderstanding of the facts, an alteration may be permitted to render the pleading in strict accordance with the facts, but even that should be done with great care, and particularly so as to avoid any difference in expressions relating to the same Act in different portions of the pleading. A pleading must be put in in the language of the Pleader signing it, but if the pleading be in a vernacular there is no objection to its being accompanied by an English translation. I therefore do myself the honor of suggesting that, in all cases where a pleading may be prepared by the Government Pleader at Madras for filing in the Mofussil Courts, the Government Vakeels in the Mofussil should be instructed, first, to satisfy themselves that the facts are correctly stated, and to attend to any notes which may require attention, when that is completed then to translate the written statement into the vernacular, and to make a fair copy of the English written statement. The vernacular and such fair copy to be annexed together, and filed in the Court.

Submitted for the information of Government. A Circular will be despatched to all Collectors on the subject of paragraph 3 of the Government Pleader's letter.

No. 451. ORDER THEREON, 23rd February 1865, No. 403.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

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

that in all cases where a pleading may
be prepared by the Government Pleader
at Madras for filing in the Mofussil Courts,
The Government Pleader in the Mofussil
should be instructed, first to satisfy them-
selves that the facts are correctly stated,
and to attend to any notes which may
require attention, when that is completed
then to translate the Written Statement
into the Vernacular, and to make a fair
copy of the English Written Statement;
The Vernacular and such fair copy to
be annexed together, and filed in the
Court.

I have &c.

Signed G. Dale.
Government Pleader
Madras

Submitted for the informa-
tion of Government. A circular will
be despatched to all Collectors on the sub-
ject of para 3 of the Government Pleader's
letter

(A true copy and Extract)

W. B. Allen
Secretary.

To J. D. Sim Esq.
Secretary to Government
Revenue Department.

B. H. H. H.
C. P. by C. H. H.

Recd = 1865
of Gov. for 1865
No. 375.

Proceedings of the
Board of Directors

Dated 10th }
Decr. 10 } February 1865
Decr. 11th }

J. P.

Submitting letter from
the Government Reader re,
noting that A. D. L. No. 64 of 1902
was dismissed with costs on
28th of June and commencing
on certain matters claimed
between the Russian statement
prepared by him and the copy
furnished by the Regis. Court.

RECORDED.

28-403-

1865 4-187.

216 July 1865-22.

WOL
23rd 29th 1865.