M.R.O. 1—77,006—8-6-37.

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Public works DEPARTMENT.

G.O. No. 362 Press Mis.

219-20

Dated 15 · 11 1869.

Not to be folded or roughly handled

No. 219. Read the following letter from the Officer in charge of Public Works Operations in Wynaad, to the Secretary to Government, Public Works Department, dated Vythery, 25th October 1869, No. 405 :—

I HAVE the honour to forward a statement showing the result of the proceedings taken in the case of the late Mr. Carter, referred to in Proceedings of Government as per margin. From this it will be seen that the legal proceedings have actually resulted in a loss to Government of Rupees 272-6-10 in costs, over and above the sum realized by the sale. I mentioned in my letter, No. 221, dated 21st June 1867, that I did not think that the estate would realize anything like the amount of the claim, and it has since deteriorated still more, until from neglect it is now absolutely worthless, except as waste land, besides having a claim against it for arrears of tax.

G. O., No. 178, dated 16th Jan. 1866.
,, ,, 1,913, ,, 26th June 1867.
,, ,, 2,826, ,, 13th Sept. ,,

2. The actual loss for money paid is Rupees 3,208-8-10; the remainder is made up of interest. I request that I may be favoured with orders for the disposal of this item.

No. 220. ORDER THEREON, 10th November 1869, No. 3,602.

ACCOUNT, No. 24.

G. O., No. 178, dated 16th January 1866.

* Rupees 2,936-2-0.

IN January 1866 the Superintending Engineer of the 7th Division was authorized to take legal measures against a Mr. Carter for the recovery of certain advances* which had been made to him, as was stated at the time "on due security," in excess of the value of work actually carried out on the Terriote road in the Wynaad. Whilst the suit was pending Mr. Carter died, and as no person appeared on his behalf the case was decided exparte in favour of Government. The Executive Engineer in charge of Operations in the Wynaad was accordingly instructed to take steps for the recovery of the amount adjudged from the assets of the estate. In the letter above recorded Major Kennedy reports the result of the measures adopted by him in pursuance of these instructions.

2. The Government observe that the sum realized by the sale of Mr. Carter's estate is only Rupees 130, whilst the total amount of the Decree, with interest and legal charges, aggregates Rupees 4,554-0-8, showing a loss to Government of Rupees 4,424, or Rupees 3,208-8-10 exclusive of interest. As there appears to be no prospect of any portion of this sum being recovered, His Excellency in Council grants authority for writing it off to "Profit and Loss."

	RS.	A.	P.
Outstanding advance, exclusive of interest	2,936	2	0
Legal charges	402	6	10
	3,338	8	10
Deduct amount realized by sale of estate	130	0	0
Net loss...	3,208	8	10

(True Extract.)

Colonel, R.E.,
Secretary to Government.

To Major R. B. Kennedy.
To the Controller of Public Works Accounts.
,, Accountant-General.

Exd. F. R. Bantleman.

Statement showing the amount still due by the late Mr Carter, and the sum expended on account of the legal purpose &c.

Amount of Decree inclusive of interest		3,640.12.1
Interest upon the Principal sum from the date of decree up to the 17th March		510.13.9
		4,151.9.10
Legal expenses awarded in the Decree and executed for by the Government Pleader	380.6.4	
Partially paid on account of the inadequacy of the value of stamp paper on which the contract executed by Mr Carter was written	19..	
Amount paid on account of Register fee said fee of registered letters addressed to the Government Pleader	1.6	
Cost of taking the measurement of Mr Carter's Estate for legal purpose	2..	402.6.10
		4554..8
Deduct amount realized by the sale of Mr Carter's Estate -		130..
Balance still due		4424..8

Special Ex. Engr's office
Bogmaad Vythery
25 October 1869

Robt. B Kennedy Capt
Spl. Ex. Engr Bogmaad.

T.C.

Special Executive Engineer's
Office Wynaad, Gudalore
25th October 1869.

No 1052.

From,

The Special Executive Engineer
Wynaad

To,

The Secretary to Government
Department Public Works
Madras.

Sir,

I have the honor to forward a statement showing the result of the Proceedings taken in the case of the late Mr Carter referred to in Proceedings of Government as per margin. From this it will be seen that the legal proceedings have actually resulted in a loss to Govern-ment of Rupees 272. 6. 10. in costs, over and above the sum realized by the Sale. I men-tioned in my letter No 221 dated 21st June 1867 that I did not think that the Estate would realize anything like the amount of the claim, and it has since deteriorated still more, until from neglect it is now absolutely worthless, except as Waste land, besides having a claim against it for arrears of Tax.

The actual loss for money paid

G.O. No 178 dd 16 January 1866.—
G.O. No 1913 dated 26 June 1867 and G.O. No 2826 dated 13th September 1867 —

Sum Rupees 272. 6. 10
Sale proceeds of Estate No
Balance Nil

In a letter from the Ld Dy Coms Wynaad to Madras dated 21st Dec 1865

Petitioner's Costs Rs
Claimed

Memorandum of Items
Amount of Petitioner's Costs as per Taxed Bill
Ditto of Costs incurred on the part of the Crown, and
the Items disallowed on
account of Legal Jurisdiction.

Public Works Depart.t

No 3602

Proceedings of the Madras Government.

Under date the 10th Nov.r 1869

Read the following

From The Special Ex.e Engineer Wynaad — W.E. No 405. dated 25th October 1869

In January 1866 the Supt Engineer of the 7th Division was authorized to take legal measures against a Mr Carter for the recovery of certain advances which had been made to him in excess of the value of work actually carried out on the Terriote road in the Wynaad. Whilst the suit was pending Mr Carter died, and as no person appeared on his behalf the case was decided ex-parte in favor of Govt. The Executive Engineer in charge of Operations in the

G.O. Nos 978 & 916 Dated 16th Nov.r 66.

Rupees 2936-2-0

^ as per stated at the time "on due security"

paid is Rupees 3208. 8. 10. the remainder is made up of interest. I request that I may be favoured with orders for the disposal of this item.

I have the honor to be
Sir,
Your most Obedient Servant

Rbt. D. Keene Major
Special Executive Engineer
Wynaad

C. Bothwell Esq Collr. & Dist. Mag.te
Wynaad

No 802 Dated 2nd Nov.r 1869

Forwarding a statement of the amount of Legal Expenses incurred in the case of the late Mr Carter's Estate, & requesting that the same may be paid out of the Public Funds.

Public Works Dept.

Read the following

From The Special Executive Engineer Wynaad — W.E. No 405. dated 25th October 1869

Rupees 3208. 8. 10.

Forwarding a statement of the amount of Legal Expenses incurred in the case of the late Mr Carter's Estate, & requesting that the same may be paid out of the Public Funds.

the Wynaad was accordingly instructed to take steps for the recovery of the amount advanced from the assets of the estate. In the letter above recorded Major Kennedy reports the result of the measures adopted by him in pursuance of these instructions.

The Govt. observe that the sum realized by the sale of Mr. Carter's estate is only Rs: 130, whilst the total amount of the Decree with Interest and Legal charges aggregates Rs: 4554-0-8 shewing a loss to Govt: of Rs: 4424 or Rupees 3208-8-10 exclusive of interest. As there appears to be no prospect of any portion of this sum being recovered, His Excellency in Council grants authority for writing it off to Profit and Loss.

Outstanding advance exclusive of Interest	Rs. A. P. —	2936-2-0
Legal charges	—	402-6-10
		3338-8-10
Deduct amount realized by sale of Estate		130-0-0
Net Loss.	Rs:	3,208-8-10

Major R.S. Kennedy. ✓
Comptr, P.W. accts ✓
Accountant ✓

Despe 11/11/65.

C. 30th Oct 1862 R. 5th Nov

Enc 4530

Govt. of (1869) Madras.

PUBLIC WORKS.

To Major R. B. Kennedy

Dated

Read. 1

G. O. 10-Nov. 1869. No. 3602

Nos. 219-220

"Profit & Loss" Permission granted for writing off to "Profit & Loss" the sum of Rs. 3,208-8-10 being the amount of ~~Cost of Lines~~ Investment with certain Advances made to one Mr. Barlee who is since dead, in excess of the value of work actually carried out on the Cherriole road in the Wynaad.

C. 3 Ch. Oct 1869 Or. 5 Ch. Nov.