

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 593	Press ^{it} ~~Mis~~
Dated 31-7-1887	

Not to be folded or roughly handled

No. 593.

Extract from the Minutes of Consultation under date the 31st July 1857.

Read the following letter from the Honorable Company's Solicitor; to the Acting Chief Secretary to Government, dated 29th July 1857, No. 483.

SIR,

I have the honor to report that I instructed Messrs. Mayne and Dale, *Kamachee Boye* the two retained Counsel for the Honorable Company in the Suit noted in *Sahaba,* the margin, to appear on behalf of the Honorable Company on the motion, versus before the Supreme Court, referred to in my letter of the 22nd Instant, *The East India* No. 428. Company, &c.,

In accordance with these instructions, Messrs. Mayne and Dale appeared on the 24th Instant, and opposed the motion on various grounds, with which I do not now think it necessary to trouble Government, but the Court (both Judges concurring) ultimately granted the Plaintiff's Application in the limited and modified terms shewn by the order of which I enclose a copy. This order was not served upon me till last evening.

I beg to advise that a copy of this Order be forthwith sent to the Commissioner at Tanjore, with a request that he will furnish me, with the least practicable delay, with an accurate and detailed List of all such Documents and papers as he can find which come within the descriptions specified in the order, to enable me to prepare the Affidavit and Schedule which the Supreme Court has called for.

The Commissioner should make such search amongst the Records at Tanjore, as will enable him to afford the desired information.

(Signed) J. R. BOYSON,

Honorable Company's Solicitor.

No. 2155 of 1857.

IN THE SUPREME COURT OF JUDICATURE AT MADRAS.

VICTORIA by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the faith.

Third Term, twenty-fourth July one thousand eight hundred and fifty-seven.

(In Equity.)

Between *Kamachee Boye Sahaba,* Plaintiff, and

The East India Company and Sagamba Bhoyee, Oemamba Bhoyee, Iyentumbes Bhoyee, Jesayseumba Bhoyee, Deepumba Bhoyee, Rama Rumarumba Bhoyee, Sagoonumba Bhoyee, Appavoo parumba Bhoyee, Yeshwarumba Bhoyee, Anasumba Bhoyee, Gaurumba Bhoyee, Aroonumba Bhoyee, Sookoomarumba Bhoyee, Geesnumba Bhoyee, and Chenumba Bhoyee when they shall come within the Jurisdiction of this Honorable Court— Defendants.

By Original and Amended Bill.

Forasmuch as upon hearing read a Notice in writing bearing date the twenty-first day of July Instant, from Messrs. Wilkins and Shaw, Solicitors for the Plaintiff, to Mr. John Robert Boyson, Solicitor for the Defendants, *The East India Company,* and upon hearing read the pleadings in this cause. A motion was this day made by Mr. Norton and Mr. Branson, of Counsel for the said Plaintiff, for an Order according to the said Notice, that is to say, that the said Defendants, *The East India Company,* or one of their Officers, Servants, or Agents should, within a time to be fixed by the Court, make and file a full and sufficient Affidavit, stating whether they have or have had in their possession or power any and

L. S.

if any what documents relating to the matters in question in this cause and depending for the same, particularly all Lists which have been made by the said Defendants, The East India Company, their Officers, Servants, or Agents, of the Property in the pleadings of this cause mentioned; such of the Records belonging to the former Raj of Tanjore, as relate to the Reign and succession of Soojan Bhojee Sahib, in the said Plaintiff's Amended Bill mentioned, and the Genealogical Trees and Pedigrees of the family of the Rajahs of Tanjore, especially those mentioned or referred to in a letter written and sent by Henry Forbes, Esq., the Commissioner of Tanjore, to the Government of Fort Saint George, and dated the sixth day of November one thousand eight hundred and fifty-five; and that they should within a time to be fixed by the Judge produce and leave with the Registrar of this Honorable Court such of the said Documents as by such Affidavit should appear to be in their possession or power, except such of the same if any as they might by the said Affidavit object to produce, that the said Plaintiff, her Solicitors or Agents should be at liberty to inspect and peruse the Documents so produced and left, and to take copies thereof and Abstracts and Extracts therefrom, as the said Plaintiff should be advised, at her expense; that the said Registrar should produce the same at the hearing of the cause as the said Plaintiff should require, and that the said Plaintiff should be at liberty to make such further application as to all or any of the Documents mentioned in the said Affidavit as she might be advised. And upon Mr. Mayne and Mr. Dale of Counsel for the said Defendants The East India Company appearing on the said motion, and upon hearing read the Affidavit of Henry Forbes, Esq., the Acting Secretary to the Government of Fort Saint George, sworn and filed this day. **It is ordered** that within one month from the date of this order the said Defendants, The East India Company, by one or more of their Officers, Servants, or Agents, do make and file a full and sufficient Affidavit, stating whether they have or have had in their possession or power any and if any what Purwanahs or grants of Land made by Soojan Bhojee Sahib in the Plaintiff's Amended Bill mentioned during the years one thousand seven hundred and thirty-seven and one thousand seven hundred and thirty-eight, especially the Purwanah for the charity of Kausee, for which a Village called Coonchee was bestowed to a Tumberan in the year one thousand seven hundred and thirty-eight (Suman Sullah sive myallah), a Purwanah of the same year for the daily allowance of three fanams to the Bramin Narayana Shastry, and two Purwanahs settling the disputes of Ayengars in the same year one thousand seven hundred and thirty-eight, or any and if any what Lists made by the said Defendants, The East India Company, their Officers, Servants, or Agents, of the property in the pleadings of this cause mentioned, or Records belonging to the former Raj of Tanjore which bear on the right of succession of the said Soojan Bhojee Sahib, or Genealogical Trees or Pedigrees of the family of the Rajahs of Tanjore, in especially those mentioned or referred to in a letter written and sent by Henry Forbes, Esq., the Commissioner of Tanjore, to the Government of Fort Saint George, and dated the sixth day of November one thousand eight hundred and fifty-five, and accounting for the same. And it is further ordered, that the said Defendants, The East India Company, do within one week from the date of filing such Affidavit as aforesaid produce and leave with the Registrar of this Honorable Court such of the above mentioned Documents as by such Affidavit shall appear to be in their possession or power, except such of the same if any as they may by the said Affidavit object to produce, and that the said Plaintiff her Solicitors or Agents be at liberty to inspect and peruse the Documents so produced and left as aforesaid, and to take copies thereof and abstracts and extracts therefrom, as the said Plaintiff shall be advised, at her expense. And it is further ordered that the said Registrar do produce the said original Documents at the hearing of this cause as the said Plaintiff shall require, and that the said Plaintiff be at liberty to make such further application as to all or any of the Documents mentioned in the said Affidavit, and all other Documents relating to the matters in question in this cause as she may be advised.

By the Court.

(Signed) WILLIAM A. SERLE,

Registrar.

(Signed) WILKINS AND SHAW,

Plaintiff's Solicitors.

True Copy.

(Signed) J. R. BOYSON,

Honorable Company's Solicitor.

Ordered that the Honorable Company's Solicitor's letter and its enclosure be forwarded to the Commissioner at Tanjore, who will proceed to carry out the instructions contained in it.

(True Extracts and Copies.)

Acting Chief Secretary.

To the Commissioner of Tanjore.

„ Honorable Company's Solicitor.

Ed. H. Morgan.

Ordered that the Honble Comptroller's
- letter and its enclosure be for-
- warded to the Commissioner at Tan-
- jore who will proceed to carry out
the instructions contained
in it

Me

Fort Saint George,

31st July 1857.

To the Com^r of Tanjore }
with copy of D^r & enclosure }
To the M^r Secretary } Dated 31st July