

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No.	612	<u>Press</u> <u>Mis.</u>
Dated	7 - 8 -	19-1887

Not to be folded or roughly handled

Fort Saint George, Political Consultation, 11th August 1857.

No. 14. From the Honorable Company's Solicitor ; to the Acting Chief Secretary to Government, Fort Saint George, dated 22nd July 1857, No. 428.

SIR,

Kamachee Boye Sahaba
vers.
The East India Company and others.

I have the honor to forward for the information of Government a Copy of a Notice of Motion in the Suit noted in the margin which has been served upon me in my official capacity.

I am of opinion that the motion whereof notice has been given cannot be successfully resisted and that the Affidavit called for by the Plaintiff must be filed.

I purpose instructing Counsel to appear on the motion on behalf of the Honorable Company to ensure sufficient time being given for the preparation and filing of the required Affidavit and Schedules, and to suggest to the Court the expediency (if it be possible) of pointing out in their order more specifically than the notice of motion does what Documents and Papers the Honorable Company are required to Schedule as otherwise the Affidavit with the Schedules attached to it must necessarily be very lengthy and burthensome and occupy a long time in preparation.

The Plaintiff's right to the production of any Documents or Papers which in the Affidavit in question he Honorable Company refuse to produce on the ground of their being State papers or privileged communications, must form the subject of a further application to the Supreme Court (if the Plaintiff is desirous of enforcing such production) after the required Affidavit has been filed.

(Signed) J. R. BOYSON,
Honorable Company's Solicitor.

SUPREME COURT, }
MADRAS, }
In Equity. }

Between KAMACHEE BOYE SAHABA,
Plaintiff,

and

THE EAST INDIA COMPANY and SOYEMBA BHOYEE and others when they shall come within the Jurisdiction of this Honorable Court.
Defendants by Original and Amended Bill.

Mr. J. R. BOYSON, Solicitor for the Defendants the East India Company.

SIR,

TAKE NOTICE that this Honorable Court will be moved on Friday next the 24th July instant, or so soon thereafter as Counsel can be heard on behalf of the Plaintiff for an order that the Defendants the East India Company or one of their Officers, Servants, or Agents do 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 if any what Documents relating to the matters in question in this cause and accounting 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 Ra of Tanjore as relate to the Reign and Succession of Soojan Bhojee Sahib in the 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 6th day of

Fort Saint George, Political Consultation, 11th August 1857.

November 1855 and that they do 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 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 that the said Plaintiff her Solicitors or Agents 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 shall be advised at her expense that the said Registrar do produce the same at the hearing of the cause as the said Plaintiff shall require and that the Plaintiff be at liberty to make such further application as to all or any of the Documents mentioned in the said Affidavit as she may be advised, which motion will be grounded on the pleadings in this cause, dated this 21st day of July 1857.

(Signed) WILKINS AND SHAW,
Plaintiff's Solicitors.

(True Copy.)

(Signed) J. R. BOYSON,
Honorable Company's Solicitor.

No. 15.

ORDER THEREON, No. 612; dated 7th August 1857.

To be Recorded.

Exd. J. A. Wilson.

Political Letter to England
22nd April 1858.

Para. 102.

17-1-55

14-15

relating to the matters at
issue in the case.

Ch. Lang.
25-11

In D. & C. 11 Aug.
Political. 1857 Department

From

The Hon. Mr. Solicitor

d. 428

(dated 22nd)

Re: 25th July 1857

No. 612.

1 Encl.

Forwarding copy of a No.
- lices of Motion in the suit No.
- machine belonging to the
- the East India Company &
- others, served upon him, and
- lying upon the Def^t to prepare
- & file an Affidavit stating the
- the they have in their power
- him certain papers & if any
- what papers & documents

No. 612

Recorded

In the presence of

7 August 1857