பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர்-ஏ.கையில்நாயகி

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 11/2006

செப்பனிட்டு முடித்த நாள் 3/2007

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்

சரிபார்க்கும் உ.நி.பா.எ. கையொப்பம்

தாய்ப்பி உதவியாளர் கையொப்பம்

Fort Saint George, Revenue Consultation of 29th September 1857.

No. 43. Read the following Extract from the Proceedings of the Board of Revenue; dated 12th September 1857, No. 3044.

Read letter from Messrs. Kenrick and Co. dated 5th August 1857.*

* *In Cons. 12th September 1857.*

(Here enter No. .)

From Collector 20th January in Cons. 6th April 1857.
Pro. to do. 6th April 1857.
From do. 2d May in Cons. 19th June 1857.
Pro. to do. 19th June 1857.
From Messrs. Kenrick and Co. 3d in Cons. 8th July 1857.
Pro. to do. Chingleput and Mr. Boyson 8th July 1857.
From Collector 6th in Cons. 15th July 1857.
From Messrs. Kenrick and Co. 21st in Cons. 29th July 1857.
Pro. to Collector and Messrs. Kenrick and Co. 29th July 1857.

Resolved that the above letter and the correspondence noted in the margin be laid before Government with reference to Extract Minutes Consultation 5th December 1856, No. 1285, Revenue Department, and para. 3 of Extract Minutes Consultation 7th January 1857, No. 31, Revenue Department.

2. In Extract Minutes Consultation 5th December last, Government reviewed the circumstances attending Messrs. Kenrick and Co's. case of the Abkarry Farm of Chingleput for Fuslies 1262-1263 and 64 and instructed the Board to make some final arrangement with that firm for the liquidation of the balance amounting to about 23,000 Rupees due by them to Government.

In Cons. 6th April 1857.

3. On the 20th January 1857, the Collector of Chingleput laid before the Board the arrangement proposed by Messrs. Kenrick and Co. which was that they should pay 500 Rupees monthly for the first 6 months, 700 Rupees for the following six, and 1,000 Rs. monthly thereafter until the whole debt should be liquidated. Messrs. Kenrick and Co. also claimed remissions for losses alleged to have been sustained in Fusly 1264, and exemption from interest on their debt.

4. Considering that Messrs. Kenrick and Co. had made no payments whatever since the preceding November (when only 1,000 Rs. out of an instalment due of 3,500 Rs. was liquidated) and looking at the tone of their communication, the Board did not feel justified in recommending Government to accept the terms proposed, as under them the principal alone would not be made good for a further period of two years and fresh claims were asserted for remission. Messrs. Kenrick and Co. however declared themselves unable to modify their offer and on the 19th June last, no payments having been intermediately made, the Board felt constrained to place the matter in the hands of the Honorable Company's Solicitor. Further proceedings were, however stayed at Messrs. Kenrick's request to enable them to submit more reasonable terms. These are contained in their letter of the 21st July and are in fact the same as those previously offered with the addition of an immediate payment of Rupees 1,000.

Enc. in from Chingleput 2d May in Cons. 19th June 1857.

In Consultation 29th July 1857.

5. These terms, as the Board pointed out in their Proceedings of the 29th July, were in reality less advantageous to Government than those already rejected, although the wording of Messrs. Kenrick's letter would lead to the conclusion that they were more favorable.

6. The firm however again strongly urge the impossibility of making larger payments, and request the Board again to submit the matter for the orders of Government.

Dated 5th August in Cons. 12th September 1857.

7. The Board are very reluctant to recommend that Messrs. Kenrick and Co's. proposals should be accepted, yet it seems doubtful whether the institution of legal proceedings would lead to a more speedy realisation of the dues of Government. On the whole, therefore, they would suggest that the present offer be accepted with the distinct understanding that any breach of it will be immediately followed by legal proceedings.

8. Considering that Messrs. Kenrick and Co. have made no payments during the last 9 months, the Board are of opinion that interest at 5 per cent. should be charged on whatever sum may remain unpayed after the period when their debt would have been liquidated, if they had acted up to their proposal to pay it in quarterly instalments of Rupees 3,500 from 1st May 1856.

9. The claim of remission on account of alleged losses appears to the Board to be inadmissible at this late period. They remark that Messrs. Kenrick and Co's. assertain in their letter to the Collector dated 30th April 1857 that the remission of Rupees 12,000 granted in Fusly 1263 was enjoyed by the sub-renters and not by them is incorrect. The Collector states that the sub-renters demanded a portion of the remission, but Mr. Kenrick refused to admit their claim.

Enc. in from Chingleput 2d May in Cons. 19th June 1857.

(A true Extract.)

(Signed) J. D. SIM, *Acting Secretary.*

No. 44. ORDER THEREON, No. 995; dated 29th September 1857.

1. After reviewing the results of the contract, held by Mr. J. H. Kenrick, of the Abkarry farm of Chingleput, in Fuslies 1262, 1263 and 1264, the Government directed the Board of Revenue, in Extract Minutes Consultation 5th December 1856, to require the firm of Messrs. Kenrick and Co., who had become responsible for the large balance still due by Mr. Kenrick, to enter into satisfactory arrangements for liquidating that balance; and in Extract Minutes Consultation of the 7th January following, they called on the Board to submit any proposal the firm might have made for payments on account of the arrears. The Board now report that Messrs. Kenrick and Co. have offered to liquidate the balance due by Mr. Kenrick, by monthly payments of 500 Rs. for the next six months, of 700 Rupees for the six following months, and of 1,000 Rupees afterwards until the debt is finally cleared; these instalments being preceded by an immediate payment of 1,000 Rupees.

2. Under the circumstances of difficulty represented by Messrs. Kenrick and Co., the Government consider that the terms proposed by them are the best that they will be able to adhere to, and having no wish to adopt measures which would ruin a respectable firm, the Government sanction the acceptance of the terms recommended by the Board. The question of interest may be left for decision when the principal has been all paid.

3. With reference to a claim for remission, which, if granted, would reduce the amount of the debt, the Board, in para. 9 of their proceedings, remark that the claim appears to be inadmissible at this late period; but on referring to the correspondence submitted, the Government observe that in their letter of the 17th January last to the Collector of Chingleput, Messrs. Kenrick and Co. allude to a letter received by them from Mr. Smollett, the former Collector, dated 17th June 1855, in which that officer admitted Mr. Kenrick's claim to remission; and it must have been prior to the date of Mr. Smollett's letter, that the claim to remission was first brought forward; so that the fault of delay would not appear to rest with the contractor, or his guarantees. The Board further report a statement of the Collector that Mr. Kenrick's sub-renters demanded to participate in the remission of 12,000 Rupees granted him in Fusly 1263, but that he refused to admit their claim. It is to be observed, however, that this statement of the sub-renters is one which Mr. Kenrick, or his representatives, may meet, if allowed the opportunity.

(Signed) H. FORBES,
Acting Secretary to Government.

Revenue Department.

No. 3044

Extract from the Proceedings of the Board of Revenue, dated 12th September 1857.

Read letter from Messrs. Kenrick & Co. dated 5th August 1857.

(Here enter No.)

Resolved that the above letter and the correspondence noted in the margin be laid before Government with reference to Extract Minutes Consultation 5th December 1856 No. 1985. Revenue Department and para 3 of Extract Minutes Consultation 7th January 1857 No. 31 R.D.

2. In Extract Minutes Consultation 5th December last Government reviewed the circumstances attending Messrs. Kenrick & Co's lease of the Abkarry Farm of Chingleput for Fuslies 1262-1263 and 64 and directed the Board to make some final arrangement with that firm for the liquidation of the balance amounting to about 23,000 Rs. due by them to Government.

3. On the 20th January 1857 the Collector of Chingleput laid before the

To Collr 20 Jany in Cons 6 April 1857.
Pro 6 do 6 April 1857.
To do 2 May in Cons 19 June 1857.
Pro 6 do 19 June 1857.
To Messrs Kenrick & Co in Cons 8 July 1857.
Pro 6 do Chingleput and Mr Royden 8 July 1857.
To Collr in Cons 15 July 1857.
From Messrs Kenrick & Co in Cons 29 July 1857.
Pro 6 Collr & Messrs Kenrick & Co 29 July 1857.
In Cons 6 April 1857.

the Board the arrangement proposed by Messrs Kennick & Co which was that they should pay 500 Rs monthly for the first 6 months, 700 Rs for the following six, and 1000 Rs monthly thereafter until the whole debt should be liquidated. Messrs Kennick also claimed remissions to losses alleged to have been sustained in July 1764 and exemption from interest on their debt.

4 Considering that Messrs Kennick & Co had made no payments whatever since the preceding November (when only 1000 Rs out of an instalment due of 3500 Rs was liquidated) and looking at the tone of their communication the Board did not feel justified in recommending Government to accept the terms proposed, as under them the principal alone would not be made good for a further period of two years and fresh claims were asserted for remission. Messrs Kennick & Co however declared themselves unable to modify their offer and on the 19th June last no payments having been intermediately made the Board felt constrained to place the matter in the hands of the Honble Company's Solicitor. Further proceedings were however

Encl. in Sr Chas Colvile's letter 2d May in Con 14 June 1837

stayed

A/995 stayed at Messrs Kennick's request to enable them to submit more reasonable terms. These are contained in their letter of the

In Con 29th July 37. 21st July and are in fact the same as those previously offered with the addition of an immediate payment of Rs 1000.

5 These terms as the Board pointed out in their Proceedings of the 29th July were in reality less advantageous to Government than those already rejected, although the wording of Messrs Kennick's letter would lead to the conclusion that they were more favorable.

6 The Govt however again strongly urge the impossibility of making larger payments, and request the Board again to submit the matter for the orders of Government.

Ltr to Bd 5 Augt in Con 12 September 1837.

7. The Board are very reluctant to recommend that Messrs Kennick & Co's proposals should be accepted, yet it seems doubtful whether the institution of legal proceedings would lead to a more speedy realization of the dues of Government. On the whole therefore they would suggest that the present offer be accepted with the distinct understanding that

that any breach of it will be immediately followed by legal proceedings.

8. Considering that Messrs Kennick & Co have made no payments during the last 9 months, the Board are of opinion that Interest at 5 p Cent should be charged on whatever sum may remain unpaid after the period when their debt would have been liquidated if they had acted up to their proposal to pay it in quarterly instalments of Rs 3,500 from 1st May 1856.

9. The claim of remission on account of alleged losses appears to the Board to be inadmissible at this late period. They remark that Messrs Kennick & Co's assertion in their letter to the Collector dated 30th April 1857 that the remission of Rs 12,000 granted in July 1863 was enjoyed by the Sub tenants and not by them is incorrect. The Collector states that the Sub tenants demanded a portion of the remission but Mr Kennick refused to admit their claim.

(A true Extract)

H. Forbes Esqr
Ag Secretary to Government
Revenue Department.

Ag Secretary

Encl in H. Chinglepet 2nd May in Con 19 June 1857.

Revenue 1857 Sept 15
Con: 2 Oct 57
No 1012

Extract from the Proceedings of the Board of Revenue.

Dated 12th Sept 1857.

No 1412

To Messrs Kennick & Co
Madras

Gentlemen

With reference to the correspondence noted in the margin I am directed to inform you that the Board of Revenue have decided that the remission of Rs 12,000 granted in July 1863 was enjoyed by the sub tenants and not by you, and that you are not entitled to any remission on account of losses alleged to have been sustained by you in the Cultivation of the Estate.

I am Gentlemen
Your most obedient Servant
Secretary

Encl 15th Sept 1857
Con: 2 Oct 57
No 1012

Collector of C. Mt. L. C.
dated 24th Dec 1857 No 248
Rec'd 25

Con 15th Sept 1857
No 1012

Copy

6/995

№1056.

Extract from the Proceedings of the Board of Revenue, dated 6th April 1857.

Read letter from the Collector of Chingleput dated 20th January 1857.

(Here enter № 281)

With the above letter the Collector lays before the Board Messrs Henrick and Co's proposed arrangements for the liquidation of the balance due by them on account of their Arkarry contract.

2. From the Collector's letter to the Trichinopoly dated 30th December last it appears that a balance of Rupees 2500 was due on account of an instalment which should have been paid on the preceding 1st October and that the arrears due exclusive of that item was Rupees 14,237-9-8.

3 Messrs Henrick and Co's proposed to liquidate their debt in the following manner viz by monthly instalments of 500 Rs for 6 months of 700 for six more, and of 1000 afterwards until the balance is made good.

4. Messrs Henrick and Co further claim remission for losses alleged to have been sustained in Fasly 1264 and demur to paying interest on payments long over due.

5. The Board are desirous of treating Messrs Henrick & Co with every reasonable consideration but their present proposal is not one which they can submit to Government.

6. At the rate of payment proposed the principal of the arrear will not be made good until a further period of 2 years has elapsed, the amount being due for Fasly 1264 or two years previously.

to

7. As regards interest Messrs Henrick and Co appear to overlook the fact that this indulgence was conceded expressly on condition of their paying the principal then due, viz Rs 26,237 by quarterly instalments as they had themselves proposed of Rs 3500 commencing from the 1st May 1856. This arrangement provided for the payment of the arrear within 2 years and the same indulgence cannot reasonably be claimed when payment is postponed for at least another year. The Board will not however recede from their engagement and interest — therefore will only be demanded on the balance which may remain due after the date on which the debt would have been liquidated, if Messrs Henrick & Co had acted up to their own agreement.

8. In respect to the remission claimed the Board observe that in their letter to the Collector dated 27th May last they remarked that "Fusly 1264 was an average year" and did "not in itself call for peculiar indulgence". In the previous year a remission of Rs 12000 was granted and Interest on the arrears has hitherto been waived. In fact Messrs Henrick & Co have been treated with unusual leniency throughout.

9. The Collector will call on Messrs Henrick & Co to reconsider their proposition and will report in communicating their reply what further sums they may have paid.

10. The Board trust that Messrs Henrick & Co will suggest such arrangements as the Board can support and render compulsory measures unnecessary. The Board hope to receive an early reply from the Collector.

[A true Extract]
[sign] J. D. Sim
Secretary.

To J. Shubrick Esq
Collector of Chingleput.

Extract

7/993

Revenue Department.

N° 2097.

Extract from the Proceedings of the Board of Revenue, dated 19th June 1857.

In Con 19th June 1857.

Read letter dated the 2d May 1857 from the Collector of Chingleput, submitting a letter from Messrs Henrick and Co dated the 30 April last, in which, with reference to the Board's Proceedings of the 6th April last, they state their inability to make a more favorable offer for the liquidation of their debt to Government, on account of the Assessary Rent of Fusly 1264, than is contained in their letter to the Collector of Chingleput of the 19th January last.

[Here enter No 110.]

By a Bond, dated the 9th June 1855 Messrs Henrick & Co engaged to make good the balance of 43818-15-10 then due on account of the Rent in question by the 11th September 1855. They failed to do so, and in May 1856 offered to discharge the Balance remaining at that date, which appears to have been 30,237-9-8 by quarterly instalments of 3500 each; permission was given accordingly, the 1st July fixed upon for the first Instalment. Under this engagement 4 Instalment, amounting in the aggregate to

to 14,000 Rupees should have been paid upto this time, and the debt on account of Principal reduced to 10,237-9-8 Instead of this amount, the Balance of Principal would seem, owing to failure in payments to be 21737-9-8.

2. When the Government, on the circumstances being brought to their notice by the Board's Proceedings of the 17th November 1856 expressed unwillingness to adopt legal proceedings, in consequence of a failure in the payment of the 2d instalment, they nevertheless recorded their opinion that Messrs Kenrick & Co had been treated with great leniency and desired that the Board would accordingly fix a date within which the instalment then due must be made good, and also require the Firm to enter into satisfactory arrangements for liquidating the balance on the distinct understanding that no further indulgence will be accorded, and authorized the Board to communicate with the Honorable Company's Solicitor for the purpose of proceeding against Messrs Kenrick & Co on the Bond in the event of any failure on their part under

Dr to Ltr 23d Dec 1856 No 1285 S.D.

8/9/68

under the fresh arrangement.

3. Under these instructions the Board allowed the Firm till the 15th January 1857 to discharge the balance of Instalment then due, and desired the Collector to require them to enter into satisfactory arrangements for the liquidation of future Instalments.

Dr to Ltr 19th Dec 1856.

4. Nothing however has been paid by Messrs Kenrick & Co since November 1856, and as regards future arrangements they have stated their inability to proffer any more favorable to Government than a payment of 500 Rupees a Month for the 1st 6 Months 700 Rupees a Month for the 2d; and 1000 Rupees a Month afterwards till the debt is liquidated. At the same time they put in a claim to be accused interest and to receive remission on account of alleged losses.

5. These proposals were rejected by Proceedings dated the 6th April last, and the Board are now informed that it is

not

not in the power of the Firm to make any better Terms.

6. Under these circumstances the Board feel constrained though with reluctance, to direct the Collector of Chingleput to communicate with the Honorable Company's Solicitor for the purpose of carrying out the instructions of Government stated above.-

/ A true Extract /

/ signed / J. B. Sim.

Actg Secretary

To,

C. J. Shubrick Esq

Collector of Chingleput.

Revenue Department

N° 2560.

Extract from the Proceedings of the Board of Revenue, dated 29th July 1857.

Read letter from Messrs Rennick & Co dated 21st July 1857.

In ltr 29th July 1857

/ Here Enter N° /

In the above letter Messrs Rennick & Co propose certain arrangements

9/995

arrangements for the adjustment of their debt to Government.-

2. The Board were under the necessity of rejecting the arrangement proposed by the Firm in their letter of the 19th January last to the Collector of Chingleput. On that occasion the Firm offered to pay Rupees 500 Monthly for the first 6 Months, Rupees 750 Monthly for the next six Months and 1000 Rupees Monthly thereafter until the whole debt should be liquidated. The present proposal differs in one respect only viz "that a present payment of Rupees 1000" is added.

In from Chingleput 29th June in Ltr 6th April 1857.

* Not 600 as stated in the letter above recorded.

3. From the wording of Messrs Rennick & Co's letter the Board do not clearly understand whether the arrangement now proposed is to take effect from the present time or retrospectively from January last, and they request that Messrs Rennick & Co will state explicitly what their intentions are in this respect. The Board remark that under the proposal contained in their former letter and rejected as unsatisfactory,

Govt to

Government would have received at least six instalments of Rupees 500 each (for February, March, April, May, June and July) or Rupees 3000. Unless therefore Messrs Kenrick's present proposal is to have effect from the same date, the arrangement will be less advantageous to Government than that already rejected.

4. The Board request an early reply.

(A true Extract)

(Signed) J. D. Sim
Actg Secretary

To
Messrs Kenrick & Co
and
The Collector of Chingleput.

(True Copies)

J. D. Sim
Acting Secretary

10/995

Is an Extract from the Proceedings of the Board of Revenue to the Acting Revenue Secretary to Govt dated 12th September 1857 No 3074

R 1072/57

Copies of Board Proceedings to the Collector of Chingleput & Messrs Kenrick & Co dated 6th April 1857 No 1058, 19th June 1857 No 2097, and 29th July 1857 No 2560. Regarding the balance due by Messrs Kenrick & Co to Govt for Arrack Farm.

Copy in G.O. 18th Decr 1857 No 48

11/995 Revenue Department

No 995

Extract from the Minutes of Consultation

Under date the 29th September 1857

Read the following

Extract from the Proceedings

of the Board of Revenue:

(Here enter 12th Sept. 57 No 3044)

After receiving the

results of the contract, held

by Mr J. H. Kenrick, of the

Abkarry farm of Sungleput,

in Taulies 1262, 1263, and 1264,

the Government directed

the Board of Revenue, in an

Extract Minute Consultation

of 6th December 1856, to

require the firm of Messrs

Kenrick and Co. who, had

become responsible for the

large

large balance still due by
Mr Henriek, to enter into
satisfactory arrangements
for liquidating that bal-
lance; and in Gr. Mins.
Cons. of the 7th May follow-
ing, they called on the
Board to submit any pro-
posal the firm might be
have made for payments
on account of the debt.
The Board now report
that Messrs Henriek and
Co. have offered to liquidate
the balance due by Mr
Henriek, by monthly pay-
ments of 500 Rs for the e
ext six months, of 700 Rs
for the six following months,
and of 1000 Rs afterwards
until the debt is finally
cleared.

12
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cleared, these instalments
being preceded by an im-
mediate payment of 1,000 Rs
Under the circum-
stances of difficulty rep-re-
sented by Messrs Henriek
and Co — the Government
consider that the terms proposed
by them are the best that
they will be able to adhere
to, and have no wish
to adopt measures which
would ruin a respectable
firm, the Government
sanction the acceptance
of the terms recommend-
ed by the Board. The
question of interest may
be left for decision —
when the principal has
been all paid.
With reference to a claim
for

for remission, which, if granted, would reduce the Amount of the debt, the Board, in para 9 of their proceedings, remark that the claim appears to be inadmissable at this late period, but now referring to the correspondence submitted, the Government observe that in their letter of the 17th January last to the Collector of Clonmel, Messrs Henrick & Co allude to a letter received by them from Mr Smollett, the former Coll[r], dated 17th June 1865, in which that officer admitted Mr Henrick's claim to remission, & and it must have been prior to the date of Mr Smollett's

13/996

Smollett's letter, that the claim to remission was first brought forward, so that the fault of delay would not appear to rest with the contractor, or his guarantee. The Board further reports a statement of the Coll[r] that Mr Henrick's Sub renders demanded to participate in the remission of £2000 Rates granted here in July 1863, but that he refused to admit their claim. It is to be observed however, that this statement of the Sub renders is one which Mr Henrick, or his representatives, may meet, if allowed the opportunity.

E R

Copies to the Bd of Acc. with 11 Sheets Cirp 30.

Revenue 1837 Estate
Cane 29 Estate

£995

Estimate Mino: of Cane
Estate 29th Estate 37

Estimate from 1st Jan to 31st Dec

Canes

Canes

Canceling the accep-
tance of the Estimate en-
closed by the Board on
[illegible] Estimate
dated the 1st [illegible]
on account of the Village
Commissioners
Estimate dated

No 43444-

Estimate 1837

(1)

(15)S

Revenue Department

Minutes of Consultations

29th Sept 1857

Packets 432 44

Order No 995 D/29th Sept 185