

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	536	Press
	68-69	Mis.
Dated	5-4-	1868.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
for the month of April 1860.*

No. 68. Read the following Proceedings of the Board of Revenue, dated 23rd March 1860,
No. 1,470 :—

Read the following :—

From T. CLARKE, Esq., Collector of Madura, to J. D. SIM, Esq., Secretary to the Board of
Revenue, Fort St. George, dated 17th March 1860, No. 56.

I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue,
dated 13th instant, No. 1,296.

I was led to form the opinion expressed in the concluding paragraph of my letter from the
fact of the Judge having adopted so unusual a course as that of instructing a Plaintiff how to
bring his suit. The Government Vakil reported that the Judge informed the Plaintiff's Vakil
he would draw him up a form of plaint. The Vakil remonstrated against so unprecedented a
proceeding, but without effect. The Judge admits he did issue instructions to the Plaintiff's
Vakil: and when applied to for a copy refused to accede to the prayer of the Petitioner, on the
grounds set forth in his order, dated the 5th instant.

The Sub-Judge has by an order, dated the 15th instant, copy of which is enclosed, thrown
out the suit. I have, therefore, no desire, at present, to proceed further in the matter.

In Con. 7th January 1860, No. 80.

No. 35 of 1859.

Plaintiff.

Mr. G. F. Fischer.

Versus

Defendant.

Mr. T. Clarke,

Collector.

Resolved that the above letter be submitted to
Government with reference to their Order, dated 6th
January 1860, No. 41, Revenue Department.

2. It will be seen that the Sub-Judge has removed
the suit from his file on the grounds that the order and
words complained of, are not actionable.

3. As regards Mr. Clarke's complaint against the
Sub-Judge, the Board need only remark that they did
not concur in his views, and the sequel shows that the
Judge was unbiassed against him.

(A true Extract and Copy.)

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

No. 69.

ORDER THEREON, 5th April 1860, No. 536.

Ordered to be recorded.

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

No. 1296.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 13th March 1860.

Read letter from the Collector of Madura, dated 6th March 1860, No. 47, complaining of the Sub Court having furnished the Plaintiff in Suit No. 35 of 1859 with a form of plaint to be filed before it, and forwarding certain preliminary record connected with the suit.

(In Con. 10th March 1860, No. 1106.)

The Board are not prepared, on the evidence before them, to adopt the very serious view taken by the Collector of the Sub Judge's conduct, and request to be informed more fully of the grounds on which he has formed his opinion that the Sub Judge has disqualified himself from trying the case in question. The Board further request that the Collector, in forwarding the explanation called for, will state whether he desires the subject to be submitted to Government.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

To
T. CLARKE, Esq., Collector of Madura.

Exd. J. Wright.

N^o 17

Nadua 6th March 1860.

From T. Clark Esq^r.
Collector of Nadua.

To J. D. Tim Esq^r.
Secretary to the Board of Revenue

Sir, Court of George.

With reference to the Proceedings
of the Board of Revenue dated 9th January
1860 N^o 118 Communicating the orders of the
Government permitting the defendants at
public cost of the Suit of N^o 35 of 1859 on the
file of the Sub Court, I have the honor to
forward copy of the order passed by the
Sub Court under date the 19th January 1860,
returning the Plaint to the Plaintiff to be
amended in accordance with the views of
the Court.

2. I have also the honor to submit
a copy of the amended Plaint filed by the
Plaintiff and of the Petition presented by me,
taking exception to the Plaint, as containing no

Enclosed in this
are the Sub Court
N^o 35 of 1859
N^o 118

N^o 619/60

Copy of the order
of the Board dated 9th
January 1860 N^o 118
regarding N^o 35 of 1859.

cause of action. After a lapse of a week the Sub Judge passed his second order dated 25th February 1880 again remanding the Plaintiff for amendment in doing so, the Sub Judge, I am informed by the Government Vakil, stated he would furnish the Plaintiff with a form of Plaintiff. The Government Vakil's arzi, in original and translation, informing me of the nature of the Sub Judge's order is also submitted.

3. I have accordingly deemed it my duty to submit to the Court the accompanying Petition dated 27th Instant, requesting to be informed of the authority on which he has acted in so unusual a manner as to furnish a litigant party with a copy of the plaintiff to be filed by him. I would speak, with all respect of the Court, but I find it difficult to believe that I shall be able to receive, at the hands of a Court which has placed itself in so anomalous a position as the Sub Court of Madara has by its order, that measure of justice which

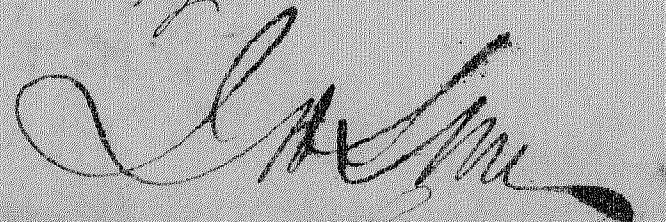
which I have a right to expect from it.

I have the honor to be,
Sir,

Your most Obedient servant,

Signed J. Clarke.
Collector.

(True Copy)


Secretary


20th Feb 1880

Ever etc 2 with the 1901
Proceedings to the New
York A. S. Bates 23
March 1880 etc

P. 619/50

Copy of letter from
the Long & Leonard
to the Rev. A. S. Bates
New York 6th March
1880 etc 47. page 24
etc 35 of 1889.

Feb 10th 1854

Received 1854

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