

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2149	<u>Press</u>
57.58	<u>Mis.</u>
Dated	7. 10. 1862.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
7th October, 1862.*

No. 57. Read the following letter from CLEMENT DALE, Esq., Government Pleader, to the Honorable T. PYCROFT, Chief Secretary to Government, dated Madras, 23th August 1862, No. 129 :—

SIR,

5th August 1862, No. 1,650, Revenue Department.

I have the honor to acknowledge the receipt of the Proceedings of Government, under the date and number noted in the margin, and to report, for the information of the Honorable the Governor in Council, that in compliance with the instructions therein contained I addressed a letter to Cavally Vencata Narrainapah, a copy whereof I enclose together with a copy of his reply to my address under date the 23rd instant.

From CLEMENT DALE, Esq., Government Pleader, to CAVALLY VENCATA NARRAINAPAH, dated Madras, 7th August 1862, No. 114.

SIR,

1. The Petition you presented to Government under date the 13th of February last, was referred to me for report, and I am now informed that Government have intimated to you that they have instructed me to communicate to you that the Honorable the Governor in Council is willing to arrange for the settlement of the Suit and the stoppage of further litigation by paying to you such sums as it may appear your father really and *bonâ fide* advanced to the deceased Lutchmeedavamah, for the purpose of paying the Peshkash, or for any other purposes which under Hindoo Law would authorize her to incumber her husband's Estate; and which were rendered necessary to save the Estate, such necessity not arising from profligacy, or improvident expenditure, or bad management on the part or behalf of Lutchmeedavamah, on your adducing before the Collector of the District or some other European Officer of Government to be named for the purpose reliable evidence to prove those facts. If you think fit to adopt that proposition His Excellency in Council will instruct the Collector, or other Officer, to investigate your claim in an equitable and liberal spirit, and to exercise his discretion in not requiring strict legal proof, as Government will be satisfied with such proof as would bring home moral conviction to the mind of an arbitrator. The Government reserve to themselves the right of submitting the evidence adduced for the opinion of their Law Officers, should they deem such a course desirable on receiving the report to be made; in doing so, however, instructions would be given not to weigh the evidence on which you may attempt to support your claim very critically but in a liberal spirit.

2. If you think fit to concur in this proposition I shall be happy to confer with your legal advisers on any point of detail which they may wish should be provided for.

3. Should you however decline the proposition the case must proceed in the ordinary course.

From C. V. NARRAINAPAH, Jahgirdâr of Tinnanore and Zamindâr of Vissunnapett, to CLEMENT DALE, Esq., Government Pleader, Sudder Adalat, dated Madras, 23rd August 1862.

SIR,

1. I have the honor to acknowledge the receipt of your letter of the 7th August 1862, and after anxious consideration of the offer made therein, I am advised that it is not such as I ought to accept.

2. The points which I am required to establish go to the full extent of what the Privy Council has called for, or indeed rather beyond it. Nor can I see that the tribunal suggested offers any counterbalancing advantages, as both the arbitrator and the ultimate referee are necessarily more disposed to take a view favorable to Government than to myself, I must therefore, with very great regret, allow the Suit to proceed in its regular course.

No. 58. ORDER THEREON, 7th October 1862, No. 2,149.

Ordered to be recorded.

(Signed) P. P. HUTCHINS,
Acting Deputy Secretary to Government.

N^o 129

From Clement Dale Esquire Government Pleader
To The Honorable Thomas Lyroft Esquire Chief Secretary to Government

Madras 26 August 1862

Sir,

5 August 1862 N^o 1659
Revenue Department

I have the honor to acknowledge the receipt of the Proceedings of Government under the date and number noted in the margin; and to report, for the information of the Honorable the Governor in Council, that in compliance with the instructions therein contained I addressed a letter to Nawally Venkata Narraimappa, a copy whereof I enclose together with a copy of his reply to my address under date the 23rd Instant. I have the honor to be

Sir,

Your Most Obedient Servant
Wm. Dale
Government Pleader

Dr. ~~Dr. J. W. H. H. H.~~ 1847
17 April 1842, 1849-1851

Copy in a letter to England
of 1842, from 1842 of 1843

Recd. 1847. 1848. 1849.
From Government of Canada
to John Street to Spout

Date 26 August 1842
Recd. 27/8

1847-1849

With an enclosure

Enclosure a copy of
Govt. of Canada letter to B. H.
of 1842, from 1842 of 1843
regarding the letter of
of 1842, from 1842 of 1843

1847-1849

1847-1849

From 1847, from 1847
to 1847, from 1847