

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1040	Press <u>Mis.</u>
309. 310	
Dated	18-5-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
18th May 1865.*

No. 309. Read the following Proceedings of the Board of Revenue, dated 6th May 1865, No. 2,284.

Read the following papers:—

Letter from the Collector of South Canara, 22nd February 1865, No. 24, recorded in Board's Proceedings, No. 1,491, dated 15th March 1865.

From G. L. MORRIS, Esq., Collector of South Canara, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Mangalore, 23rd March 1865, No. 36.

SIR,

1. With reference to the Proceedings of the Board, dated 15th instant, No. 1,491, I have the honor to state that though interest is payable on the amount of costs in the High Court in the suit referred to, from 22nd June 1863, the date on which that Court on appeal remanded the suit to the local Court here, yet the Decree of the Civil Court adjudging the same with other damage against the Collector, as Defendant, was only passed on the 21st June 1864.

2. The Decree did not, however, state the amount of the costs of the Appeal to the High Court, and the Government Vakeel having consequently been called upon to procure the required information from the Civil Court, replied on the 27th February 1864, that the High Court had been moved to do what was wanted.

3. No reply having been received by the month of July following, the Government Vakeel petitioned the Civil Court again on the subject upon a reminder sent from this Office, and it was only in January last that a final answer was received.

1. Ordered that the foregoing papers be submitted to Government, with the Board's recommendation that the Collector be authorized to pay, with interest from 22nd June 1863, the costs amounting to Rupees 33-8-3 of the appeal in the High Court in the Suit No. 2 of 1861, instituted by F. M. Telles against the Collector.

* No. 568, dated 5th April 1864.
,, 1,283, ,, 21st July
,, 251, ,, 8th Feb. 1865.

2. In the Government Orders noted in the margin,* a total sum of Rupees 2,616-15-11 was sanctioned on account of the suit, and the further cost now to be defrayed was incurred in the appeal

preferred by the Plaintiff to the High Court.

3. The delay in submitting the Collector's application for payment of the present charge is explained, in his second letter above recorded, to have been caused by the receipt of the requisite information from the Civil Court only in January last, although the Government Vakeel appears to have duly applied for it.

No. 310. ORDER THEREON, 18th May 1865, No. 1,040.

Miscellaneous.

Authority is accordingly granted for the payment of Rupees 33-8-3, with interest from 22nd June 1863.

(True Extract.)

(Signed) W. HUDLESTON,

Acting Secretary to Government.

To the Board of Revenue.
,, the Civil Paymaster.
,, the Accountant General.

Exd. S. T. Augustin.

No. 1,491.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 15th March 1865.

Read the following letter from G. L. MORRIS, Esq., Collector of South Canara, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Mangalore, 22nd February 1865, No. 24:—

1. With reference to paragraph 2 of Mr. Thompson's letter of the 15th June 1864, No. 100, I have the honor to report that the cost of Appeal in the High Court in the Suit noted* in the margin, as ascertained from the Zillah Court, is Rupees 33-8-3, and that this is now payable by Government in addition to the sums already sanctioned.
Board's Proceedings, dated 9th April 1864, No. 2,154.
* Civil Suit, No. 2 of 1861, instituted by F. M. Telles.
2. Sanction is solicited for the discharge of the same with interest from the 22nd June 1863, the stated date of the final order of the High Court adjudging the cost of the above Appeal against the Collector as Respondent in the Suit.
3. The amount so payable may be authorized to be disbursed as an advance, as was done in regard to the payment of Rupees 596-15-6 in the same suit as sanctioned by the Board under date the 9th December 1864, No. 7,901.

Before submitting the foregoing application for the sanction of Government, the Board request that the Collector will explain the delay that has taken place in forwarding this application whereby it has become necessary to pay interest for now nearly two years.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Acting Secretary.

To G. L. Morris, Esq., Collector of South Canara.

Exd. J. Wright.

No. 2,284.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th May 1865.

Read the following papers:—

Letter from the Collector of South Canara, 22nd February 1865, No. 24, recorded in Board's Proceedings, No. 1,491, dated 15th March 1865.

From G. L. MORRIS, Esq., Collector of South Canara, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated Mangalore, 23rd March 1865, No. 36:—

1. With reference to the Proceedings of the Board, dated 15th instant, No. 1,491, I have the honor to state that though interest is payable on the amount of costs in the High Court in the suit referred to, from 22nd June 1863, the date on which that Court on appeal remanded the suit to the local Court here, yet the Decree of the Civil Court adjudging the same with other damage against the Collector, as Defendant, was only passed on the 21st June 1864.
2. The Decree did not however state the amount of the costs of the Appeal to the High Court, and the Government Vakil having consequently been called upon to procure the required information from the Civil Court, replied on the 27th February 1864, that the High Court had been moved to do what was wanted.
3. No reply having been received by the month of July following, the Government Vakil petitioned the Civil Court again on the subject upon a reminder sent from this office, and it was only in January last that a final answer was received.

1. Ordered that the foregoing papers be submitted to Government with the Board's recommendation that the Collector be authorised to pay with interest from 22nd June 1863 the costs amounting to Rupees 33-8-3 of the appeal in the High Court in the Suit No. 2 of 1861, instituted by F. M. Telles against the Collector.

2. In the Government Orders noted in the margin*, a total sum of Rupees 2,616-15-11 was sanctioned on account of the Suit, and the further cost now to be defrayed was incurred in the appeal preferred by the Plaintiff to the High Court.

3. The delay in submitting the Collector's application for payment of the present charge is explained in his second letter above recorded to have been caused by the receipt of the requisite information from the Civil Court only in January last, although the Government Vakil appears to have duly applied for it.

(A true Copy and Extract.)

M. A. Dalvell

Sub-Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with copy of Board's Proceedings, 15th March 1865, No. 1,491.
Copy to W. M. Cadell, Esq., Collector of South Canara.

Ed. R. H. Lee.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 15th March 1865.

Despatched

Received

No. 1,491.

Requesting to explain the delay in applying for sanction to disburse the cost of Appeal in Civil Suit No. 2 of 1861.

*Enquire the Co. J. D. Sim
of Court to see what date
R. D. Dalvell's letter
No. 2284 -
1865. Department
Rev. 1252/65.*

No.

No. 211 July 1865
S. H. May 1865

Revenue 1865. Department

For: J. H. May

No. 1252.2
PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 6th May 1865.

For: J. H. May
1865/100.

No. 2,284

Recommending that the Collector of South
Canara be authorized to pay with interest, from
said June 1863, the costs of appeal in the High
Court in Suit No. 2 of 1861, instituted by F. M.
Telles, for compensation for losses sustained by
breach of salt contract.

W. H. May
With an order

88-1000.

Authority is accordingly

granted for the payment of Revenues
33-8-3 with interest from 23 June 1863.

For: J. H. May
1865/100.

To the 18th of June 1865
Revised By: J. H. May
Cheesman & General 1/3