

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1296	Press
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	266. 267	
Dated	13	6-18 6s.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
13th June 1865.*

No. 266. Read the following Proceedings of the Board of Revenue, dated 3rd June 1865, No. 2,940.

Read again the following papers:—

Letter from the Collector of Nellore, dated 5th October 1864, No. 318, recorded in the Board's Proceedings, dated 25th October 1864, No. 7,026.

Letter from the Government Solicitor, dated 31st October 1864, No. 577, recorded in the Board's Proceedings, dated 10th November 1864, No. 7,320.

Letter from the Collector of Nellore, dated 22nd November 1864, No. 373, recorded in the Board's Proceedings, dated 12th December 1864, No. 7,949.

Letter from the same Officer, dated 25th March 1865, No. 57, recorded in the Board's Proceedings, dated 22nd April 1865, No. 2,052.

Read also the following letter from the same Officer, dated 22nd April 1865, No. 80.

1 Letter from Collector to Board of Revenue, dated 5th October 1864, No. 318.

1 Board's Proceedings on above letter, dated 26th October 1864, No. 7,026.

1 Letter from Government Solicitor, Madras, to Board of Revenue, dated 31st October 1864, No. 577.

1 Board's Proceedings on above letter, dated 10th November 1864, No. 7,320.

1 Letter from Collector to Board of Revenue, dated 22nd November 1864, No. 373.

1 Board's Proceedings on above letter, dated 12th December 1864, No. 7,949.

1 Letter from Collector to Board of Revenue, dated 25th March 1865, No. 57.

1. In requesting early orders on my letter of the 25th ultimo, No. 57, I have the honor to forward copy of a letter received from the Collector of Madras, stating that the Muchilka given by Tiruvengadaya, the shell contractor or renter, is not forthcoming.

2. I shew in the margin the correspondence that has passed in regard to this balance, which was remitted in the first instance when the Government paper lodged as security was in the Treasury.

P. S.—And since writing the preceding, I have the honor further to acknowledge the receipt of the Board's Proceedings of the 22nd, directing me to submit a translation of the missing Muchilka. The defunct defaulter came to life again.* I

* Letter from Collector of Madras, 22nd August 1864, in Board's Proceedings 25th October 1864, No. 7,026.

fear there is not so much chance of the Muchilka being forthcoming, and my being able hereafter to comply with the Board's orders under acknowledgment.

(Signed) J. W. B. DYKES, Collector.

ENCLOSURE No. 1.

From E. G. R. FANE, Esq., Collector of Madras, to J. W. B. DYKES, Esq., Collector of Nellore, dated Sydapet, 10th April 1865, No. 228.

With reference to your letter of the 31st January last, No. 54, I have the honor to state that the Muchilka referred to in your letter is not forthcoming in the office. A careful search was made previous to my sending you the Cowle, but it was unsuccessful. The Muchilka was simply a counterpart of the Cowle; the latter will, therefore, probably serve the purpose for which the Muchilka is required by you.

(True Copy.)

(Signed) J. W. B. DYKES, Collector.

was sent of a good shell

*Proceedings of the Madras Government, Revenue Department,
13th June 1865.*

1. Resolved that the foregoing papers be submitted for the consideration and orders of Government.

2. It will be observed that so far back as 1852, Tiruvengada Iyer and another rented some shell quarries in the Striharicottah Division formerly attached to the Madras District, but now forming a portion of that of Nellore, from the then Collector of Madras, at the sum of Rupees 935 per annum, for three years, and that he deposited a Government Promissory Note for Rupees 500 as security in the Madras Collector's Cutcherry. At the conclusion of his lease an arrear, amounting to Rupees 445-3-6, stood against him, and has been retained in the accounts ever since that date, being removed from the accounts of the Madras District to those of Nellore when the Striharicottah villages were transferred. It was at one time proposed to recommend the arrears for remission under the impression that the defaulter was dead, and in ignorance of the fact that the Promissory Note had been deposited, but it now appears that the defaulter is alive, and that he declines to endorse the Promissory Note, and so to render it negotiable.

3. The matter was referred for the opinion of the Advocate General, who stated his opinion that the Government could not now compel the defaulter to endorse the note, but that they might hold the note.

4. The Board, therefore, recommend that the note be retained unless Government should deem it advisable again to refer the matter to the Advocate General with reference to the remark made by the Collector of Nellore as to the realization of the claim under Madras Act II. of 1864, and to the provisions of Section 17 of the Act XIV. of 1859, to which the Advocate General refers in his opinion.

5. The Cowle, a copy of which is submitted, appears to be in a form similar to that which was formerly in use in such cases, but the Muchilka is not forthcoming. The Collector of Madras should inquire and report through whose carelessness it has been lost, and also who is responsible for the neglect to have the note endorsed to Government when it was deposited.

No. 267. ORDER THEREON, 13th June 1865, No. 1,206.

Miscellaneous.

1. The whole of the papers will be again referred to the Advocate General, through the Government Solicitor, for his opinion, with reference to Mr. Dykes's remark in paragraph 2 of his letter, dated 22nd November 1864, and to the fact that the defaulter was renter of a Government shell quarry, and not a contractor in the ordinary sense of the term.

2. The Board should cause further search to be made for copy at least of the Muchilka, and if found transmit it to the Advocate General. It is evident that Mr. Fane must be in error in saying it was merely counterpart of the Cowle, as the latter refers to conditions expressed in the Muchilka which nowhere appear in the Cowle.

3. The case throughout seems marked with excessive carelessness.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Government Solicitor.
.. the Board of Revenue.

Exd. S. T. Augustia.

No. 2,940.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd June 1865.

Read again the following papers:—

Letter from the Collector of Nellore, dated 5th October 1864, No. 318, recorded in the Board's Proceedings, dated 25th October 1864, No. 7,026.

Letter from the Government Solicitor, dated 31st October 1864, No. 577, recorded in the Board's Proceedings, dated 10th November 1864, No. 7,320.

Letter from the Collector of Nellore, dated 22nd November 1864, No. 373, recorded in the Board's Proceedings, dated 12th December 1864, No. 7,949.

Letter from the same Officer, dated 25th March 1865, No. 57, recorded in the Board's Proceedings, dated 22nd April 1865, No. 2,052.

Read also the following letter from the same Officer, dated 22nd April 1865, No. 80:

1. In requesting early orders on my letter of the 25th ultimo, No. 57, I have the honor to

1 Letter from Collector to Board of Revenue, dated 5th October 1864, No. 318.

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1 Letter from Government Solicitor, Madras, to Board of Revenue, dated 31st October 1864, No. 577.

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2. I show in the margin the correspondence that has passed in regard to this balance, which was remitted in the first instance when the Government paper lodged as security was in the Treasury.

P. S.—And since writing the preceding, I have the honor further to acknowledge the receipt of the Board's Proceedings of the 22nd, directing me to submit a translation of the missing Muchilka. The defunct defaulter came to life again. I fear there is not so much chance of the Muchilka being forthcoming, and my being able hereafter to comply with the Board's orders under acknowledgment.

(Signed) J. W. B. DYKES,

Collector.

ENCLOSURE No. 1.

From E. G. R. FANE, Esq., Collector of Madras, to J. W. B. DYKES, Esq., Collector of Nellore, dated Sydapet, 10th April 1865, No. 228.

With reference to your letter of the 31st January last, No. 54, I have the honor to state that the Muchilka referred to in your letter is not forthcoming in the office. A careful search was made previous to my sending you the Cowle, but it was unsuccessful. The Muchilka was simply a counterpart of the Cowle; the latter will, therefore, probably serve the purpose for which the Muchilka is required by you.

(True Copy.)

(Signed) J. W. B. DYKES,
Collector.

1. Resolved that the foregoing papers be submitted for the consideration and orders of Government.

2. It will be observed that so far back as 1852, Tiruvengada Iyer and another rented some shell quarries in the Striharicottah Division formerly attached to the Madras District, but now forming a portion of that of Nellore, from the then Collector of Madras, at the sum of Rupees 935 per annum, for three years, and that he deposited a Government Promissory Note for Rupees

*the fact that the defaulter
was renter of a Govt shell*

500 as security in the Madras Collector's Cutcherry. At the conclusion of his life an arrear, amounting to Rupees 445-3-6, stood against him, and has been retained in the accounts ever since that date, being removed from the accounts of the Madras District to those of Nellore when the Striharicottah villages were transferred. It was at one time proposed to recommend the arrears for remission under the impression that the defaulter was dead, and in ignorance of the fact that the Promissory Note had been deposited, but it now appears that the defaulter is alive, and that he declines to endorse the Promissory Note, and so to render it negotiable.

3. The matter was referred for the opinion of the Advocate General, who stated his opinion that the Government could not now compel the defaulter to endorse the note, but that they might hold the note.

4. The Board, therefore, recommend that the note be retained unless Government should deem it advisable again to refer the matter to the Advocate General with reference to the remark made by the Collector of Nellore as to the realization of the claim under Madras Act II. of 1864, and to the provisions of Section 17 of the Act XIV. of 1859, to which the Advocate General refers in his opinion.

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(A true Copy and Extract.)

W. H. Hudleston
Acting Secretary.

To W. Hudleston, Esq., Acting Secretary to Government, R. D.,

with copies of Board's Proceedings, Nos. 7,026, 7,320, 7,949, and 2,052.

Copy to J. R. Hovson, Esq., Government Solicitor.

" to E. G. R. Fane, Esq., Collector of Madras.

" to J. W. B. Dykes, Esq., Collector of Nellore.

Ed. J. Wright,

Submitting to with remarks letters from the Collector of Nellore and the Government Solicitor on the subject of the Muchilka given by the Shell Contractor of the Striharicottah division lately transferred to that District from Madras, and requesting to know from the Collector of the latter District through whose carelessness the Muchilka has been lost and who is responsible for the Note not having been endorsed.

No. 2,940.

PROCEEDINGS OF THE BOARD OF REVENUE.

No. 1537.

Decr. 1865.

Department

Date 3rd June 1865.

W. H. Hudleston
Acting Secretary.

Revenue Department

W-1296.

Proceedings of the Madras Government
under date the 13th June 1865-

Read the following

Pro: of the Bd. of Revl-

Submitting with
remarks letter from the
Collr of Nellore and the Govt
Solicitor on the subject of the
Muchilka given by the shell
Contractor of the Striharicottah
division lately transferred
to that District from Madras
and requesting to know from
the Collr of the latter District
whose carelessness the
Muchilka has been lost
and who is responsible for
the Note not having been
endorsed-

(Here enter 3rd June
1865, No. 2,940)

The whole of the
papers will be again refer-
red to the Advocate General
through the Govt Solicitor
for his opinion with refer-
ence to Mr. Dykes's remark
in para 2 of his letter dated
22nd November 1864 and to
the fact that the defaulter
was owner of a Govt shell
quarry

Assume Mr. O'Brien
to be your friend since

1st 1796.

Know the C. Madras East
C. 1/18th June/85

1st June 1805 C. 1/18th June/85

Advocate General
to give his opinion with
reference to the arrears
due by the Wellbury
Contractor in the
recalled.

Sp 286-267