M.R.O. 14—18,000—17-8-34

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 3008 Press ~~Mis.~~

55-60

Dated 12 — 12 . 1865.

Not to be folded or roughly handled

No. 59. Read the following Proceedings of the Board of Revenue, dated 21st November 1865, No. 7,477 :—

Read the following letter from the Collector of Madura, to the Acting Secretary to the Board of Revenue, dated 31st October 1865, No. 298.

1. Adverting to my letter to you, dated 23rd October 1865, No. 286, I have the honor to request that the Board will, as requested in the Civil Judge's letter to me, dated 27th October 1865, No. 310, be so good as to obtain the sanction of Government for remitting to him Rupees 62,736-0-4, being the amount of mesne profits determined upon by the Court.

2. Copy of a revised Statement of mesne profits sent to me by the Civil Judge is enclosed.

3. From the Abstract Statement which accompanied my letter, No. 56, dated 18th February last, the Board will perceive that a fee of Rupees 250 has been paid by the Plaintiff to her Vakeel for presentation of an application for enforcement of the Decree. The Government Vakeel of this station solicits payment, to him, of a similar fee for having pleaded and argued on behalf of Government at the hearing held before the Civil Judge on my application to him raising the question of the mesne profits for his consideration. He is, in my opinion, entitled to the fee, and if the Board agree with me, I request their sanction for the payment of the sum of Rupees 250.

4. The assets of the Erasakanaickenur Polliem have been already given in the Statement No. II., forwarded to the Board with my letter, No. 114, dated 27th April 1865.

Revised Statement of mesne profits of Erasakanaickenur Zemindary.

	Rs.	A.	P.
Net income of Fuslies 1265, 1266, and 1267	15,729	7	5
Interest thereon from the date of Original Decree, viz., 30th March 1859, to 2nd November 1863, being four years, seven months, and two days, at five per cent. per annum	3,609	0	3
Net income of Fusly 1268	4,955	0	7
Interest thereon for four years, four months, and two days, from the commencement of the next Fusly 1269, *i. e.*, 1st July 1859, to 2nd November 1863, at five per cent. per annum	1,074	15	4
Net income of Fusly 1269	7,297	4	3
Interest thereon for three years, four months, and two days, from the commencement of the next Fusly 1270, *i. e.*, 1st July 1860, to 2nd November 1863, at five per cent. per annum	1,218	3	6
Net income of Fusly 1270	5,616	10	9
Interest thereon for two years, four months, and two days, from the commencement of the next Fusly 1271, *i. e.*, 1st July 1861, to 2nd November 1863, at five per cent. per annum	656	13	2
Net income of Fusly 1271	6,961	6	11
Interest thereon for one year, four months, and two days, from the commencement of the next Fusly 1272, *i. e.*, 1st July 1862, to 2nd November 1863, at five per cent. per annum	466	0	3
Net income of Fusly 1272	5,528	11	10
Interest thereon for four months, and two days, from the commencement of the next Fusly 1273, *i. e.*, 1st July 1863, to 2nd November 1863, at five per cent. per annum	93	10	10

Net income of Fusly 1273	7,268	8	5
Interest thereon for ten months, and five days, from 13th December 1864, to 17th October 1865, at five per cent. per annum	307	13	9
Interest on Rupees 46,088-9-9, the total amount of net income of Fuslies 1265, 1266, 1267, 1268, 1269, 1270, 1271, and 1272, for ten months, and five days, from the 13th December 1864, to 17th October 1865, at five per cent. per annum	1,952	5	1
Total Rupees...	62,736	0	4

MADURA,
27th October 1865.

(Signed) R. R. COTTON,
Civil Judge.

(True Copy.)

(Signed) V. H. LEVINGE,
Collector.

---

1. The Board observe that the new adjustment made by the Civil Court awards interest at five per cent. only on the mesne profits of Fuslies 1268, 1266, 1267, and subsequent years. They would, therefore, suggest to the Collector that application be made for a similar adjustment in regard to the mesne profits of Fuslies 1263 and 1264.

2. The Court apparently applied to the Collector for the full amount of the profits of these two latter years with interest *at twelve per cent.*, and the payment of this amount has been made, but the more recent Order will probably be held to be applicable to all the mesne profits, which would considerably reduce the additional payment now about to be made.

3. As to the amount collected from the property during the past Fusly, the Collector should be guided by the Board's instructions, as conveyed in paragraph 4 of their Proceedings, under date 24th August 1865, No. 5,167.

4. As to the fee to be paid to the Government Pleader, the Collector will report what fees have usually been paid to that functionary for similar cases.

No. 60. ORDER THEREON, 12th December 1865, No. 3,008.

Miscellaneous.

Ordered to lie over till the receipt of the further information called for from the Collector. The Board will instruct him to give his immediate attention to the subject, and to procure the early orders of the Court on the subject of paragraph 1 of the Board's Proceedings.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin.

No. 7,477.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st November 1865.

Read the following letter from V. H. LEVINGE, Esq., Collector of Madura, to R. A. DALYELL, Esq., Acting Secretary to the Board of Revenue, dated 31st October 1865, No. 298:—

1. Adverting to my letter to you, dated 23rd October 1865, No. 286, I have the honor to request that the Board will, as requested in the Civil Judge's letter to me, dated 27th October 1865, No. 310, be so good as to obtain the sanction of Government for remitting to him Rupees 62,736-0-4, being the amount of mesne profits determined upon by the Court.

2. Copy of a revised Statement of mesne profits sent to me by the Civil Judge is enclosed.

3. From the Abstract Statement which accompanied my letter, No. 55, dated 18th February last, the Board will perceive that a fee of Rupees 250 has been paid by the Plaintiff to her Vakeel for presentation of an application for enforcement of the Decree. The Government Vakeel of this station solicits payment, to him, of a similar fee for having pleaded and argued on behalf of Government at the hearing held before the Civil Judge on my application to him raising the question of the mesne profits for his consideration. He is, in my opinion, entitled to the fee, and if the Board agree with me, I request their sanction for the payment of the sum of Rupees 250.

4. The assets of the Erasakanaickenur Polliem have been already given in the Statement No. II., forwarded to the Board with my letter, No. 114, dated 27th April 1865.

ENCLOSURE No. 1.

Revised Statement of mesne profits of Erasakanaickenur Zemindary.

	Rs.	A.	P.
Net income of Faslis 1265, 1266, and 1267	15,729	7	5
Interest thereon from the date of Original Decree, viz., 30th March 1859, to 2nd November 1863, being four years, seven months, and two days, at five per cent. per annum	3,609	0	3
Net income of Fasli 1268...	4,955	0	7
Interest thereon for four years, four months, and two days, from the commencement of the next Fasli 1269, *i. e.*, 1st July 1859, to 2nd November 1863, at five per cent. per annum...	1,974	15	4
Net income of Fasli 1269...	7,297	4	3
Interest thereon for three years, four months, and two days, from the commencement of the next Fasli 1270, *i. e.*, 1st July 1860, to 2nd November 1863, at five per cent. per annum	1,218	3	6
Net income of Fasli 1270...	5,016	10	9
Interest thereon for two years, four months, and two days, from the commencement of the next Fasli 1271, *i. e.*, 1st July 1861, to 2nd November 1863, at five per cent. per annum	656	13	2
Net income of Fasli 1271...	6,961	6	11
Interest thereon for one year, four months, and two days, from the commencement of the next Fasli 1272, *i. e.*, 1st July 1862, to 2nd November 1863, at five per cent. per annum	466	0	3
Net income of Fasli 1272...	5,523	11	10
Interest thereon for four months, and two days, from the commencement of the next Fasli 1273, *i. e.*, 1st July 1863, to 2nd November 1863, at five per cent. per annum	93	10	10
Net income of Fasli 1273	7,268	8	5
Interest thereon for ten months, and five days, from 13th December 1864, to 17th October 1865, at five per cent. per annum	307	13	9
Interest on Rupees 46,088-9-9, the total amount of net income of Faslis 1265, 1266, 1267, 1268, 1269, 1270, 1271, and 1272, for ten months, and five days, from the 13th December 1864, to 17th October 1865, at five per cent. per annum	1,952	5	1
Total Rupees...	62,736	0	4

MADURA,
27th October 1865.

(Signed) R. R. COTTON,
Civil Judge.

(True Copy.)

(Signed) V. H. LEVINGE,
Collector.

1. The Board observe that the new adjustment made by the Civil Court awards interest at five per cent. only on the mesne profits of Faslis 1268, 1266, 1267, and subsequent years. They would, therefore, suggest to the Collector that application be made for a similar adjustment in regard to the mesne profits of Faslis 1263 and 1264.

2. The Court apparently applied to the Collector for the full amount of the profits of these two latter years with interest *at twelve per cent.*, and the payment of this amount has been made, but the more recent Order will probably be held to be applicable to all the mesne profits, which would considerably reduce the additional payment now about to be made.

3. As to the amount collected from the property during the past Fasli, the Collector should be guided by the Board's instructions, as conveyed in paragraph 4 of their Proceedings under date 24th August 1865, No. 5,162.

4. As to the fee to be paid to the Government Pleader, the Collector will report what fees have usually been paid to that functionary for similar cases.

(True Copies and Extract.)

[signature]

Acting Secretary.

To V. H. Levinge, Esq., Collector of Madura.
„ C. Dale, Esq., Government Pleader.
„ W. Hudleston, Esq., Acting Secretary to Government, R. D.

Exd. J. Wright.

[illegible]

No. 3008.

Protested to
Lie over till the
receipt of the fun-
ther information
called for from the
Collr. - The Bd. will
instruct him to give this
immediate attention
to the subject and
to procure the
early orders of the
Court on the subject
Khaza 10 of the Bd. No.
1859 & 60.
12th Decr. 1864.

Rec. 1865. Department.
Rs. of Pr. for [illegible]

No. 3450.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 21st November 1865.
Despatched 12 Decr.
Received 20th —

No. 7,477.

In the Cr. 3/4/64

Issuing instructions in regard to the payment of the mesne profits of the Erasakenaickenur Pollicm for Faslis 1263 and 1264, to Plaintiff in Original Suit No. 1 of 1865, in the Madura Civil Court; and requesting the Collector to report what fees have usually been paid to the Government Pleader for conducting cases similar to the present.

No. 3008 Dar
[signature]