M.R.O. 14-5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2969 Press ~~Mis.~~

36-37

Dated 2— 11— 1866.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 2*nd November* 1866

No. 36. Read the following Proceedings of the Board of Revenue, dated 8th October 1866, No. 7,213.

Read again letter from Collector of the Kistna District, dated 13th July 1866, recorded in Board's Proceedings, 1st August 1866, No. 5,269.

Read also the following letter from the Collector of the Kistna District, to the Secretary to the Board of Revenue, dated Masulipatam, 15th September 1866, No. 316 :—

1. With reference to the Board's Proceedings of the 1st ultimo, No. 5,269, I have the honor to forward, herewith, translation of an Arzi from the Government Vakeel, in the Civil Court at Guntoor, on the subject of the fees demanded by him for having conducted defence on behalf of the Collector, during the review trial of the Suit regarding Vissannapett estate.

2. From the above the Board will observe that the Government Vakeel calculated the fees partly with reference to the amount* of the claim ; and partly with reference to the amount† of fees which Mr. Dale received for having conducted Appeal Suit No. 136 of 1857, on the file of the late Sudder Udalut.

* Rupees 79,850-6-11.—*Vide* paragraph 10 of the Vakeel's Arzi.

† *Vide* Board's Proceedings, dated 28th October 1858, No. 4,075.
Extract from Minutes of Consultation, 25th October 1858, No. 1,441.

3. I beg to refer the Board to the full statement of the conduct of the case, forwarded with my letter of the 10th July 1865, No. 118, and also to state, that the Pleader who conducted the original suit on behalf of Government, in the Masulipatam Civil Court in 1857, received a fee of about 1,000 Rupees, as shewn in the Schedule forwarded to the Board, with letter dated 13th May 1857.

Translation of an Arzi submitted to G. Thornhill, Esq., Collector of the Kistna District, by Toleti Porushottamayya, Government Vakeel.

1. I clearly stated in my Arzi, No. 23, submitted to your office on the 5th April 1866, the fact of Rupees 999-4-0 having been due to me, on account of remuneration in the Vissanapetta case. Referring to your instruction, No. 129, dated 10th instant, I beg to state as follows :—

2. In the Suit No. 103 of 1855, originally instituted in the Masulipatam Zillah Court regarding the said estate, evidence and documents on behalf of both parties were not completely filed, nor any trial conducted.

3. On the Honorable the Privy Council remanding the case for trial *de novo*, Mr Foord, the then Collector, was pleased to direct me to conduct the pleadings on behalf of Government, asking me at the same time as to what amount of remuneration was payable to me.

4. As I knew that something less than Rupees 1,000 were charged in the Decree of that Suit and paid me, I represented that the same amount should be caused to be paid to me.

5. The Serishtadar of your office was then present. Getting accounts, &c., from the Hoozoor, filing important documents in the Court with abstracts of them, explaining to the Court the grounds under which they were to be filed, and presenting counter-petitions and memoranda, &c., refuting the petitions filed on behalf of the opposite parties, I did my best to conduct the pleadings at great length.

6. If your honor will be pleased to peruse the Arzies, &c., which I submitted to your office, in the case in question, the fact of the pains I had taken on behalf of Government will be apparent.

7. After the completion of the said record, I submitted (with my Arzies, dated 6th and 13th May 1864,) a memorandum prepared by me of the evidence, documents, petitions, and refutations.

8. With reference to your instruction, sent to me in regard to a communication from the Government Vakeel in the High Court, I prepared a summary of the entire record in the above Suit, and submitted it with my Arzi, No. 78 of 1865. If your honor will be pleased to re-peruse it, the fact of my having behaved myself with the utmost care will be clearly observed.

9. At the hearing in this case, Mr. W. Wilson, Sub-Collector, was present, and personally observed the mode in which the debate was then conducted.

10. The question of the contest was for the recovery of a Zemindary estate yielding an annual assessment of Rupees 12,405-10-11, and the annulling of a postpone petition of Rupees 67,444-12-0.

11. The regular fees for the said amount is Rupees 999-4-0, which I solicit you to pay me.

12. It is just, at all events, to pay me such amount as was paid to Mr. Dale on account of fees in the Appeal conducted in this suit.

13. The amount paid to Mr. Dale is known to Government. It happened that I felt trouble from not having received the amount of my fees even after the Zemindary estate was put in possession of Government, and from not having obtained a "good and proper proceedings."

14. I request your honor will be pleased to take all the foregoing circumstances, and the Arzi, &c., dated 5th April 1866, into your consideration, and submit a recommendation to favor me with a remuneration deserving to my services, with reference to the record in the case, and obtain sanction for the same.

Please take my request into your consideration.

(Signed) T. PURUSHOTTAMAYYA,
Government Vakeel.

16*th August* 1866.

(True translation.)

(Signed) G. THORNHILL, *Collector.*

Ordered that the above papers be submitted to Government, with the Board's request that payment of Rupees 999-4-0, fee claimed by the Government Vakeel, may be sanctioned.

No. 37. ORDER THEREON, 2nd November 1866, No. 2,969.

Land Revenue

1. The payment of the fee of Rupees 999-4-0 to the Government Vakeel at the Civil Court of Guntoor is sanctioned.

2. The Board will call upon the Collector to report what steps have been taken by him regarding the inefficiency of this Vakeel, noticed by the Government Pleader in paragraph 3 of his letter recorded in G. O. of 6th December 1865, No. 2,995.

(True Extract.)

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

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

Exd. S. T. Augustin.

No. 5,269.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st August 1866.

Read the following letter from T. A. N. CHASE, Esq., Acting Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Masulipatam, 13th July 1866, No. 247:—

1. I have the honor to bring to the notice of the Board, that the Government Vakil, in the Civil Court of Guntoor, has made an application for payment of fees, amounting to Rupees 999-4-0, due to him in regular Appeal Suit No. 136 of 1857, regarding the Vissannapeta estate, which was remanded to that Court for further trial, on certain points.

2. This Vakil took much pains in conducting the line of defence on behalf of the Collector, during the review trial of the case; and, I think, the sum applied for by him, is a fair remuneration for his labors.

3. Should the Board concur with me in this opinion, I request they will be pleased to obtain the sanction of the Government for the payment of the said sum to the Vakil.

4. To meet this charge, sufficient provision has been made in the Budget estimate for the year 1866-67.

The Collector will be pleased to explain how the amount is calculated.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To the Collector of the Kistna District.

Exd. J. Wright.

Enclosing the Proceedings of the Board of Revenue to the Acting Collector of Kistna Dated 8 October 1866 No. 7213-

1866. Department.

Rev. 3575.

No.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 1st August 1866.

Proc. 2nd Nov. 1866 No. 136

No. 5,269.

Requesting Acting Collector of Kistna district to explain how the amount has been calculated which is proposed to be paid to Government Vakil in Civil Court of Guntoor as fees due to him in R. A. Suit No. 136 of 1857 regarding the Vissannapetta Estate.

2nd Nov. 1866
No. 136

Jud: dept.

Has any thing been done regarding the insolvency of Mr. God bahal Gautoo Coal broker Bowbazar by Cod: Pleader Sabah?

G.O 8 Dec. 65. No 2995

8 Dec. Addl

Issue the rule Revenue
Calls what steps he
has taken in the
Matter

R. Dept. No 3575/66. 4a

The sum demanded as fee,
must Thereto, be paid to the
Vakil. It has been calculated,
Simply, according to the rate laid
down in S375 Reg. XVII of 1806 though
the Collr. Mr. Thornhill states that
of course to refer the Ct. of R
para 10 of the Vakil can arise to him.

It has been that he dare
has improved the ability & prospr.
knowledge of the Vakil, and, by
hospitality, when his complaint
are enquired into & considered, the
Vakil may be turned out. But,
such a step, if taken, with re-
ference from their stability
to the Vakil for what he did.
the Vakil was what he did.
but was in prospect.
I would recommend to call

on the Case brought if any thing
yet was done or about to be done
or what has been urged to this
Court's disadvantage.
26.10.66

Draft to

P. B. Ravikoti
26-10-66

Rev. 1866. Department.
Pro: of Govt for Navat.

No. 3575

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 8th October 1866.
Desp 11-Dec
Rec 12.
C.I.V.
Pro of the Board of Rev
Ayyelay/67 A 1220

No. 7,213.

Requesting sanction for payment of Rupees 999-4-0, fee claimed by Government Vakeel in Civil Court of Guntoor, for conducting defence during review trial of Suit regarding Vissannapett Estate.

No 2969 — 2 November
With an order

(True Copies and Extract.)
Secretary:

To the Secretary to Government, Revenue Department,
with Board's Proceedings, 1st August 1866, No. 5,269.

Copy to the Collector of the Kistna District.

Exd. J. Wright.

A-36/67

...es due to ...mmin v. A. Suit No. 150 of 1031 regarding the Vissannapetta Estate.