

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1883.

Press
~~Mis~~

423-424

Dated 29- 11 - 1870 19

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
29th November 1870.*

No. 423. Read the following Proceedings of the Board of Revenue, dated 5th November 1870, No. 6,497 :—

Read the following letter from the Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Bezwada, 1st October 1870, No. 4,359.

With reference to Board's endorsement, dated 1st August 1870, on petition No. 2,096 of 1870, presented by M. Ethorajulu Pillay, late Ferry Contractor at Bezwada, I have the honour to submit the following brief report.

2. Petitioner claims payment of Rupees 111-4-0 due to him on account of ferry charges incurred crossing the families of sepoys of the 19th Regiment Native Infantry over the Kistna river, while proceeding from Samulkota to Kurnool through Bezwada in the months of November and December 1868.

3. Petitioner states that the Tahsildar and the Commanding Officer having told him to ferry across the river the families and bandies of the wing, and then send a bill for the charge, he accordingly complied with their request, and sent in a bill for payment.

4. The bill contains no names of the sepoys and families from whom the ferry charges are due, but a lump sum of Rupees 111-4-0 for crossing so many bandies, etc.

5. The Tahsildar sent that bill to the Head Assistant Collector, with a request to get the money from the Commanding Officer. He referred the matter to me in February 1870. On 14th February 1870, I addressed the Officer Commanding the 19th Regiment to remit the ferry charges due to the contractor.

6. It appears that the Commanding Officer sent a reply to the Head Assistant Collector, stating that he has been furnished with a bill from the Samulkota boat contractor for the charges due for crossing the left wing over the Kistna; and that he has no means to know how much of the charge of Rupees 75 incurred for crossing the bandies, etc., of the right wing, is due from each sepoy. Thereupon the Head Assistant Collector gave an endorsement to the petitioner that it was his duty to collect the tolls from each individual at the time of crossing.

7. As a Revenue-officer on the spot, who was directed to provide supplies to the Regiment on its march, the Tahsildar of Bezwada appears to have directed the contractor to make speedy arrangements to have the wing ferried over the river at once, and then to send a bill for the ferry charges to the Commanding Officer for payment due. The mere verbal order of the Tahsildar to the above effect may not legally guarantee the payment of the charge to the contractor, who is not able to produce a detailed account of the sepoys from whom the charge was to be collected, and without which the Commanding Officer demurs any payment. It must, however, be observed that after the wings had crossed over the river, the contractor could not have easily managed to collect the tolls, unless the Commanding Officer made the necessary arrangements for payment. It is much to be regretted that this officer did not call upon the contractor for the account before leaving Seetanagaram.

8. The wing crossed the river on 6th December 1868, and the contractor sent his bill to the Tahsildar on 18th December 1868, instead of submitting the

*Proceedings of the Madras Government, Revenue Department,
29th November 1870.*

same to the Commanding Officer as soon as the wing got on the other side of the river. But there is no doubt he acted upon the Tahsildar's order, and expected to receive payment through him.

9. When the contractor is unable to give a list of the persons and bandies that crossed the river, the Commanding Officer would find it difficult to collect the charge. The only course left for him is to apportion the charge on the sepoy of the wing, and to collect the same from them.

10. There is no document to show that the Commanding Officer and the Tahsildar directed the contractor to take the wing across without payment, but it is only right to observe that the Tahsildar's verbal directions, to see that the ferrying was not delayed, may have been reasonably construed by the contractor as an order to ferry the wing over and collect the toll from the Commanding Officer in a bill.

THIS letter will be submitted for the orders of Government, together with petition, No. 2,096, of 1870.

2. The Board are clearly of opinion that the claim is good, and that measures should be taken to satisfy it.

No. 424. ORDER THEREON, 29th November 1870, No. 1,883.

Miscellaneous.

On the understanding that Rupees 111-4-0 represents approximately the amount *bona fide* claimable by the ferry-

renter for conveying across the river the families and bandies belonging to the 19th Regiment Native Infantry, the Government sanction payment to him of this sum by the Collector.

2. The question of recovering the amount, or a portion of it, through the Commanding Officer of the Regiment, will be considered in the Military Department.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
„ the Accountant-General.
„ the Military Department.
„ the ~~Petition Department~~, with Petitions.

Ed. F. R. Pattleman.

17-1883.

Proceedings of the Madras Government
Under date the 29th Nov^r 1870

Read the following
Proc. of the Board of Revenue.

Submitting Petition from
Ethargulu Allay late Ferry Con-
= tractor at Beruadu claiming
Rs. 111-4-0 due to him on account
of Ferry Charges incurred in con-
= veying certain families of 19th Regt
= ment Native Infantry ~~across~~
Kistna River. —

H. E. 5: November 1870 No. 6497

On the understanding
that Rs. 111-4-0 represents
approximately the amount bona
fide claimable by the ferry-renter
for conveying across the river
the families and handies belong-
= ing to the 19th Regiment N. I.,
the

J. D. S.

Gobt. of 18703 Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Ac., Ac., Ac.

Dated November, 29th.

Recd.

Recd.

G. O., 29th November 1870, No. 1,883.

NOVEMBER.

Nos. 423-424.

Ferrying families of 19th Regiment N. I.
across Kistna River. — Payment of Rs. 111-4-0
to the ferry-renter for this purpose, sanctioned.
The question of recovering the amount to be con-
sidered in the Military Department.

the Government sanction as
payment to him of this sum
by the Collector.

2. The question of recovering
the amount or a portion of it
through the Commanding Officer
of the Regiment will be considera-
ed in the Military Department.

OK

W.D.

14 Folio B of Rec in No 11 Insto Dec 30.
6 ———— Sent to Genl
7 ———— Military Dept

50
6

W.D.

1882

28

120

1552
7
Enclosure in the No. of the
B-2 of No. 2 to the Act
to Grant Rs. 1000
1591000 1870.1870 11.11.11

Board of Revenue.

MADRAS.

PROCEEDINGS, 17TH SEPTEMBER 1870, No 5,772.

Encl.

Received.

Dec: 3633/70.

From: 29.11.1870 to 1870

SEPTEMBER.

No. 5,772.

Zatta to witnesses—in Suit No. 1 in Special
Court constituted under Act, No. XXIII of
1863, in Malabar District,—Collector requested
to furnish further particulars regarding certain
charges incurred on account of, and stated to
be irrecoverable.

No. 5,772.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 17th September 1870.

Read the following letter from A. MACGREGOR, Esq., Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Calicut, 6th August 1870, No. 283:—

I HAVE the honour to request that the amounts noted in the margin now debited to "Advances Recoverable" in this Office Account may, under the circumstances stated below, be ordered to be struck off the Accounts as irrecoverable.

	RS.	A.	P.
1.	20	10	0
2.	295	8	9
3.	247	8	0
	2	4	0

2. Item No. 1, refers to charges incurred on account of batta to witnesses in Suit No. 1, in the Special Court, constituted under Act No. XXIII. of 1863. The Court not having passed any orders as to the costs of the suit, the amount cannot be recovered.

3. Item No. 2, relates to Suit No. 217 of 1867, reported on in the correspondence noted in the margin. The Civil Judge having refused to adjudge payment of costs of appeal, the amount remains unrecovered.

Board's Proceedings, dated 8th February 1867, No. 777.
Do. do., 16th May, No. 3,021.
Collector to Board, dated 23rd November 1867, No. 265.
Board's Proceedings, dated 4th January 1868, No. 40.
Do. do., 31st August, No. 6,212.

4. Item No. 3, also refers to the above-named suit, being costs of the original suit, which

Government were empowered to recover from the opposite party; but this latter it would appear has no property whatever to proceed upon. The amount is therefore irrecoverable. Rupees 2-4-0, were spent in the issue of processes to recover the above amount. This has also to be written off.

THE Collector will be good enough to give some more particulars regarding Item No. 1. The year and the nature of the suit should be given as well dates of correspondence, if any.

(A true Copy and Extract.)

(Signed) J. GROSE,
Acting Secretary.

To the Collector of Malabar.

Exd. G. A. Turton.