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 (3) Initials of the Referencer [Signature]

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

[Signature] DEPARTMENT

G.O. No.	709	Press
B.P. No.	83-84	Mis.
Dated	2. 6. 1874	196-

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709

*Proceedings of the Madras Government, Revenue Department,
9th June 1874.*

No. 83. Read the following Proceedings of the Board of Revenue, dated 23th May 1874, No. 1,284:—

Read the following letter from J. W. HANDLEY, Esq., Government Pleader, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Madras, 27th April 1874, No. 58.

With reference to the Proceedings of the Board of Revenue noted in the margin, I have the honour to report that the appeal (Regular Appeal No. 20 of 25th March 1874, No. 677.

1874), preferred to the High Court by Major R. Hunter against the decree of the District Court of Salem in O. S. No. 1 of 1873, came on for hearing on the 24th instant before the Chief Justice and Mr. Justice Innes. The Court modified the District Court's decree by reducing the damages to Rupees 2,250 and in other respects confirmed it. This reduction was made by disallowing a sum of Rupees 750 charged in the Commissioner's estimate of damage for the up-keep of the disputed roads during the three years they were in the possession of Major Hunter. It was obviously not fair that Major Hunter should pay both the sum necessary to put the roads in proper repair, and also that which it would have taken to keep them so if he had not prevented Government from repairing them. This item could not, therefore, be supported. Each party was ordered to pay his own costs of the appeal.

2. I shall forward copies of the decree and judgment when obtained.

SUBMITTED for the information of Government with reference to their orders, dated 9th February and 21st April 1874, numbered respectively 172 and 475.

No. 84. ORDER THEREON, 9th June 1874, No. 709.

Miscellaneous.

COMMUNICATED to the Public Works Department.

(True Extract.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.
,, the Public Works Department.

Erd. F. R. Bantleman.

No. 1,284.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 28th May 1874.

Read the following letter from J. W. HANDLEY, Esq., Government Pleader, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Madras, 27th April 1874, No. 58:—

With reference to the Proceedings of the Board of Revenue noted in the margin, I have the honour to report that the appeal (Regular Appeal, No. 20 of

25th March 1874, No. 677.

1874) preferred to the High Court by Major R. Hunter against the decree of the District Court of Salem in O. S. No. 1 of 1873, came on for hearing on the 24th instant before the Chief Justice and Mr. Justice Innes. The Court modified the District Court's decree by reducing the damages to Rupees 2,250 and in other respects confirmed it. This reduction was made by disallowing a sum of Rupees 750 charged in the Commissioner's estimate of damage for the up-keep of the disputed roads during the three years they were in the possession of Major Hunter. It was obviously not fair that Major Hunter should pay both the sum necessary to put the roads in proper repair, and also that which it would have taken to keep them so if he had not prevented Government from repairing them. This item could not therefore be supported. Each party was ordered to pay his own costs of the appeal.

2. I shall forward copies of the decree and judgment when obtained.

SUBMITTED for the information of Government with reference to their orders, dated 9th February and 21st April 1874, numbered respectively 172 and 475.

(A true Copy and Extract.)

J. Grose
Secretary.

To the Acting Secretary to Government, Revenue Department.

Copy to the Government Pleader.

„ to the Collector of Salem.

Exd. J. Tulloch.

Cont. of 1874

REVENUE.

THE BOARD OF REVENUE.

Secy.

Dated June 9th.

Recd.

Encl.

G. O. 9th June 1874, No. 709.

JUNE.

Nos. 53-54.

Regular Appeal Suit No. 20 of 1874 (No. 1 of 1873, Salem District Court).—Communicated to Public Works Department, Board's Proceedings submitting Government Pleader's report of result of—

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Revue 1874. Reports

MADRAS.

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Enclosed

No. 1,284.

Suit, Regular Appeal—No. 20 of 1874 preferred to High Court by Major R. Hunter against decree of Salem District Court in Suit No. 1 of 1873 regarding certain disputed roads.—Government Pleader's report of result of—, submitted to Government.

Commercial to the
U.S. Government.

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C. 8th June 1935 Rg. it

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