M.R.O. 1—20,002—12-8-65.

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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	970	Press
~~B.P. No.~~		Mis.

Dated 3 8 - 1874 ~~196~~ .

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
3rd August 1874.

No. 20. Read the following Proceedings of the Board of Revenue, dated 11th July 1874, No. 1,771 :—

Read again the following papers :—

Memorandum from the Officiating Deputy Accountant-General, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Fort Saint George, 16th December 1873, No. 8,094.

Vide Board's Proceedings, No. 8,533, dated 12th December 1873. The undersigned has the honor to request that you will be good enough to state the date and number of the order of Government empowering the Board to sanction batta in Civil cases similar to the one sanctioned in the Proceedings above referred to.

(Signed) W. DONALD,
Officiating Deputy Accountant-General.

Board's Official Memorandum, dated 26th May 1874, No. 662.

There is no express order of Government on the subject; but on the recommendation of the Government Solicitor, the Board ruled so long ago as 1865 that batta to public officers attending Courts as witnesses in Civil Suits on behalf of Government should be paid at the expense of the State, and similar charges have been hitherto admitted by the Accountant-General without question. A copy of the Board's Proceedings, dated 9th February 1865, No. 749, is herewith forwarded for the information of the Accountant-General.

(Signed) C. A. GALTON,
Acting Sub-Secretary.

Memorandum from the Deputy Accountant-General, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Fort Saint George, 28th May 1874, No. 1,657.

Vide your official memorandum No. 662, dated 26th May 1874. The undersigned has the honor to state that this office cannot trace any payments of the sort, and that the sanction of Government should be obtained for this class of charges.

(Signed) J. E. COOKE,
Deputy Accountant-General.

The foregoing letters will be submitted for the orders of Government.

2. In 1865, at the recommendation of the Government Solicitor, the Board ruled* that when public officers attend Courts as witnesses in Civil Suits on behalf of Government, batta should be paid to them, at the expense of the State, at the rates ordinarily allowed to them, and accordingly passed batta in several cases since.

* Board's Proceedings, dated 9th February 1865, No. 749.

Board's Proceedings, dated 10th February 1865, No. 767.
" Miscellaneous Proceedings, dated 24th December 1871, No. 4,636.

3. In the present case, however, in which the Board sanctioned batta (Rupees 15) to the Taluq Sheristadar of Trinomalay for attending the District Court at Cuddalore as a witness on behalf of Government, the Accountant-General thinks that the sanction of Government is necessary. The Board request that sanction may be granted accordingly, and the Accountant-General authorized to admit similar charges in future when passed by the Board.

No. 21. ORDER THEREON, 3rd August 1874, No. 970.

Miscellaneous.

Sanctioned, and the Accountant-General authorized to pass similar charges in future as proposed.

(True Extract.)

(Signed) C. C. MASTERS,
Acting Secretary to Government.

To the Board of Revenue.
The Accountant-General.
Lieut. K. C. Shuttler.

No. 749.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th February 1865.

Read the following letter from J. E. BOYSON, Esq., Government Solicitor, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Madras, 23rd January 1865, No. 36:—

1. Referring to the Proceedings of your Board noted in the margin, I have the honor to state, for the information of your Board, that such batta and travelling expenses as may be properly payable, according to the recognized scale operative in the Mofussil, to the several persons numbered 1, 2, 3, 5, 6, 7, 9, 10, 11, 12 and 13 in the *first* part of the Statement submitted to your Board by the Collector of Salem, with his letter of 29th July 1864, No. 136, should, in my opinion, be paid to those persons by the Collector of Salem, and debited to Government on the public account. The persons numbered as above stated were subpœned on behalf of Government, and did come down to Madras for the purpose of being examined.

Dated 10th August 1864, Revenue Department.

2. I do not find from my records that the persons numbered 8 and 9 in the *first* part of the Collector's Statement were subpœned on behalf of Government, or otherwise requested on behalf of Government to come to Madras. I cannot, therefore, recommend that any payment for batta, or travelling expenses, should be made to them.

3. My records do not show that any of the persons named in the *second* part of the Collector's Statement as having been summoned in 1863 *other* than Commercial Timah, numbered 2 in such second part of said Statement, were subpœned on behalf of Government in 1863, or otherwise requested on behalf of Government to come down to Madras in that year (1863). The persons numbered 1, 2 and 3, in the *second* part of the Collector's Statement, were subpœned on behalf of the Defendants' Pedgers in the Ecclesiastical suit (to which Government was not a party), for reviving the Probate of Veerumeen's alleged will, and did (as I believe) come down to Madras in 1863. I also think it very probable that the three other persons numbered 4, 5 and 6, in the second part of the Collector's Statement, (who do not appear to have been subpœned at all in 1863), came down to Madras at the request of the Pedgers' agent, and without being served with a subpœna, for the purpose of giving evidence, if required, in the Ecclesiastical suits. As Commercial Timah was subpœned in 1863 on behalf of Government, as well as on behalf of the Pedgers, I think his batta and travelling expenses, according to the recognized scale, should be paid to him by the Collector of Salem, and debited to Government on the public account. The other persons numbered 1, 2, 4, 5 and 6 in the second part of the Collector's Statement should, in my opinion, be referred to the Pedgers for adjustment of their batta and travelling expenses in respect of their journey to Madras in 1863.

4. As Narrain Row, Deputy Collector Inam Commission, came down to Madras in July 1862 and June 1863 on behalf of Government, and such batta and travelling expenses as may be properly payable to him in respect of these two journeys should, in my opinion, be disbursed to him by the Collector of Salem, and debited to Government on the public account. He should be referred to the Pedgers for adjustment of his batta and travelling expenses in connection with the visit to Madras in May 1863, when in attendance under a subpœna issued at the instance of the Pedgers for the purpose of being examined, if required, in the Ecclesiastical suit. I know nothing of the other claims of witnesses in this suit in the Civil Court of Salem. With the view of the claims the Collector of Salem might state.

5. There were great difficulties in the way of my getting any allowance for witnesses batta or travelling expenses, save for those witnesses whose claims I have myself recommended should be paid by the Collector of Salem, and debited to Government, on the ground that the costs of Government in the suit in question, under the circumstances, did not appear to me it advisable to incur the delay and expense that would have been consequent upon the attempt to establish this claim as between party and party, which might and very probably would have

resulted in failure, the costs of Government were taxed, and allowed by the Master as between party and party, at the sum of Rupees 2,223-5-3. I regret to say that up to the present time I have not been able to realize any portion of this amount from the Plaintiff Appellant-Company; and I fear that recovery is almost hopeless; such being the case, Government will not suffer any pecuniary loss by reason of duties and travelling expenses not having been allowed in the taxed costs.

3. I return the Statement submitted to your Board by the Collector of Salem, with his letter, dated 29th July 1864, Nos. 136, and forwarded me with the Proceedings of your Board of the 10th of August last.

Enclosures Nos. 1 & 2.—Memorandum and Statement.

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1. Communicated to the Acting Collector of Salem, with reference to Mr. Arbuthnott's letter, dated 29th July 1864.

2. The Acting Collector will pay the bill, &c., as recommended by the Government Solicitor, and submit a bill for sanction.

(A true Copy and Extract)

(Signed) R. A. DALYELL,
Acting Secretary.

To C. N. Pochin, Esq., Acting Collector of Salem.

Copy to J. D. Norton, Esq., Government Solicitor.

Encl. J. Wright.

No. 767.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th February 1865.

Read the following letter from H. S. THOMAS, Esq., Sub-Collector in charge of Salem, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Namgeripett, 17th January 1865, No. 9:—

With reference to Mr. Arbuthnott's letter to you, dated 29th July last, No. 136, I have the honor to forward a Memorandum of charges incurred by Seshagiri Row, late Sub-Magistrate of Denkencotta, and the present Acting Tahsildar of Kistnageri, in proceeding to Madras to give his evidence before the High Court in the Unkoosageri Poliput Suit, and to request you will instruct the Government Pleader to move the High Court for the recovery and payment of the amount, viz., Rupees 113-1-4. This amount through an oversight has not been included in the Statement submitted to the Board with the letter above referred to.

ENCLOSURE No. 1.

ABSTRACT.—Memorandum of charges incurred by Seshagiri Row, late Sub-Magistrate of Denkencotta Division, for proceeding to Madras to give his evidence at the High Court in the Unkoosageri Poliput Suit.

The Sub-Collector in charge will deal with the claims of Seshagiri Row, as recommended in the other similar cases in the letter of the Government Solicitor, dated 28th January 1865, contained in the Board's Proceedings, No. 744, dated 9th February 1865.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Acting Secretary.

To C. N. Pochin, Esq., Acting Collector of Salem.

Encl. J. Wright.

Revenue Department.

No. 2435

From Pres. Bd. of Rev.

Dated 4th July 1874.

FOR ORDERS.

Sent to Solr. Gen.

2267
1867

Dated 10th February 1865.

Department.

1865.

No.

Proceedings of the Board of Revenue.

No. 707.

Forwarding Dist. Sessions Judge's claims for expenses in Madras to be discussed at the High Court on the Government Pleader's behalf.

Letter from Secretary to Government, Judicial Dept. &c. dated 10th February 1865 No. 169.

FOR ORDERS.

No. 1,771.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 11th July 1874.

Read again the following papers :—

Memorandum from the Officiating Deputy Accountant-General, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Fort Saint George, 16th December 1873, No. 6,094.

Vide Board's Proceedings, No. 3,593, dated 12th December 1873. The undersigned has the honor to request that you will be good enough to state the date and number of the order of Government empowering the Board to sanction batta in Civil cases similar to the one sanctioned in the Proceedings above referred to.

(Signed) W. DONALD,
Officiating Deputy Accountant-General.

Board's Official Memorandum, dated 26th May 1874, No. 662.

THERE is no express order of Government on the subject; but on the recommendation of the Government Solicitor, the Board ruled so long ago as 1860 that batta to public officers attending Courts as witnesses in Civil Suits on behalf of Government should be paid at the expense of the State, and similar charges have been hitherto admitted by the Accountant-General without question. A copy of the Board's Proceedings, dated 9th February 1865, No. 749, is herewith forwarded for the information of the Accountant-General.

(Signed) C. A. GALTON,
Acting Sub-Secretary.

Memorandum from the Deputy Accountant-General, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Fort Saint George, 28th May 1874, No. 1,437.

Vide your official memorandum No. 662, dated 26th May instant. The undersigned has the honor to state that this office cannot trace any payments of the sort, and that the sanction of Government should be obtained for this class of charges.

(Signed) J. E. COOKE,
Deputy Accountant-General.

THE foregoing letters will be submitted for the orders of Government.

2. In 1860, at the recommendation of the Government Solicitor, the Board ruled* that when public officers attend Courts as witnesses in Civil Suits on behalf of Government, batta should be paid to them, at the expense of the State, at the rates ordinarily allowed to them, and accordingly passed batta in several cases since.

* Board's Proceedings, dated 9th February 1865, No. 749.

Board's Proceedings, dated 16th February 1865, No. 750.

Miscellaneous Proceedings, dated 14th December 1871, No. 4,658.

3. In the present case, however, in which the Board sanctioned batta (Rupees 15) to the Taluq Sheristadar of Tirumangalay for attending the District Court at Cuddalore as a witness on behalf of Government, the Accountant-General thinks that the sanction of Government is necessary. The Board regret that sanction may be granted accordingly, and the Accountant-General authorized to allow similar charges in future when passed by the Board.

(True Copies and Extract.)

Acting Sub-Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Accountant-General.

Lieut. E. C. Shunker.

1874. Despatched

Board of Revenue

MADRAS.

PROCEEDINGS, 11TH JULY 1874, No. 1,771.

Encl.

Received.

JULY.

No. 1771.

Duties—to Taluq Sheristadar of Tirumalay Taluq in South Arcot District, for attending Cuddalore District Court as a witness on behalf of Government—Government requested to sanction payment of—and to delegate Accountant-General to submit similar charges in future when passed by Board—Certain correspondence with this officer on subject, submitted.