1033

M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 10

(2) Date of repair 2-5-69

(3) Initials of the Referencer [illegible] 17.5.69

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. 1033 Press

~~B.P. No.~~ ~~Mis.~~

Dated 2-8-1876 -196- .

Not to be folded or roughly handled

Rev

Proceedings of the Madras Gove
2nd Augu

Department.

No. 5. Read the following letter from C
Hon. D. F. CARMICHAEL, Se
ment, dated 14th July 1876:—

icorin, to the
it, Revenue Depart-

ABSTRACT.—Forwarding, with observati
for a reconsideration of G.O., 30th June
purchased by him.

petition, with enclosures, praying
on his claim to discount on salt

No. 6. ORDER THEREON, 2nd A

1876, No. 1,033.

Separate Revenue, No. 2.
Salt.

MR. BARTER will be informed that
Government decline to reconsider
order of 30th June last, No. 881.

be bound by certain rules quoted, and in
it stands" are quite conclusive.

In his Agreement he covenants to
h 14 of those rules, the words "as

(True
(

t.)

D. F. CARMICHAEL,
Secretary to Government.

To the Petitioner.
„ the Board of Revenue.

Ed. F. R. Bantleman.

AUGUST.
Nos. 5-6.

Opinion of the Board of Revenue—Informing Petitioner that Government declines to reconsider the decision in Board's Proc. Ind., No. 881.

Govt. of [illegible] 1876 [illegible]

REVENUE.

Petn. PETITIONER,

&c., &c., &c.

2/7035

To the Most Noble the Duke of Buckingham
& Chandos Grenville President in Council of Madras

The Petition of C. J. Barker Merchant Tuticorin
praying that the order hereto annexed may be re-
considered for the following reasons.

1st Because the decision has been based on the
simple and invalid assumption that Petr
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
Government of India believed the 3% to be a dis-
count and not an allowance for wastage. That
when the Proceeds Board advised him otherwise
he remonstrated and suggested that the actual
deficiency should be made good to Petitioner
(See Document No 1.)

For the above reasons Petitioner specially appeals to Your Grace and the Honourable Members of your Council to reconsider this question on the merits and reading of the contract, as between buyer and seller, and not as a mere Revenue question. And Petitioner further prays that having placed these facts before he may be spared the inconvenience and expense of placing such a clear legal obligation before the Law Courts.

And your Petitioner as in duty bound will ever pray.

A. L. McLaren

Tuticorin Aug 14th 1878

Received by
Secretary to Govt Madras

Thank you for the book from the
Govt of the Madras Govt dated
June last & further take the lib-
erty of enclosing herewith a Petition
praying that the Govt will recommend
the same. In hopes of avoiding the Govt
Counsel & have the honor to
be by which the Petitioner
begs are found.

Madras Collector the practice or be-
ing of the assumption assumed at
petition for non compliance with
specific agreement, and by Govt
was taken for granted
on the usage that the
for wastage, and for which there is
particle of evidence. Petitioner had no ex-
rience in the inland coal trade until a few
months ago, and he is prepared to disprove the
assumption.

Because the Acting Collector who entered into
contracts with Petitioner on behalf of the

[illegible] letter from Govt of Madras
No 1033 dated

dy 14-7-6

Mr Carter will be informed that
the Govt decline to recommend him
under Order of 30th June last, No 981.

2. In his agreement he covenants to
be bound by certain Rules quoted,
and in para 16 of those Rules,
the words 'as it stands' are quite
conclusive.

Sd. 19/7/6.

× It is clear that Stuart
has been meddling &
Mr Carr has explained
that call up his papers
& minute —

24/7

Note the date of the
reference & para only
of answer.

2nd Copy To Petr Mrs A. Ackroyd
do Govt Madras
do Board of Revenue Mrs Ackroyd
1906

× The papers of the first
reference have been called up
from Madras — It appears
that the Collr supported the
Petr before the Bd — but did
not explain how Petr got
the extract of the Collr's letter,
or how he was allowed to ransack
the records in the Salt Dy's office!

Sd. 29/7/6.

Mr — ask for application
notice on this point.
Let the order & Mr B. be sent

24/7

Judicium
11th July
1876.

R.C. Sus. W R 24: July R 31: July
C. 20: July/96. R 24: July