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Revenue Department

Minutes of Consultation

25th May 1858

Book No 13 & 14

Order No 654 of 19th May 1858

(6)

2/13-14

Fort Saint George, Revenue Consultation of 25th May 1858.

No. 13. Read the following letter from G. S. FORBES, Esq., Secretary to the Board of Revenue; to W. H. BAYLEY, Esq., Acting Secretary to Government, Revenue Department; dated Fort Saint George, 4th May 1858, No. 1614.

SIR,

In Cons. 4th May 1858.
* *In M. S.*
In from Salem 31st Dec. 1855, *in Cons. 19th Jan.* 1856, *Enc. No. 3.*

With reference to Extract Minutes Consultation, dated 3d Instant, I am directed by the Board of Revenue to forward herewith copy* of the answer filed by the Collector of Salem in O. S. No. 9 of 1855, on the file of the Subordinate Court in that Zillah. The Board have not on their records a copy of the rejoinder, but will instruct the Collector to forward one to the Government Pleader direct.

2. It will be seen from the answer that the Collector claimed exemption from costs under Clause II. Section IV. Regulation I. 1823.

Draft of an Answer proposed to be filed in O. S. No. 9 of 1855 on the file of the Subordinate Court of Salem by H. A. Brett Esq., Collector of Salem and 1st Defendant against Plaintiff Vencataramien Moottadar of Tatavully in the Triputtoor talook of the Salem District.

1. The object of this Suit is to compel the Government to construct conjointly with the Plaintiff a stone annicut in the Pawlar river at the village of Korasalamputty in the Triputtoor Talook at an estimated cost of Rupees 3,901-8-0; or to obtain an order from the Court that the Plaintiff may defray the entire cost out of his own private funds.

2. The 1st Defendant admits that the facts stated in the Plaint are substantially correct, but since the decrees of the Court of Sudr Udalut in Special Appeal No. 37 of 1851 on the 31st December 1852, the Plaintiff has not applied to the public authorities for permission to build the annicut or to take any share in the work.

3. After the present suit was filed, the 1st Defendant requested the Acting Civil Engineer of the 5th Division to determine the actual expense at which the Annicut might be restored, and measures were at the same time taken to ascertain what return might be expected if the Government should consent to assist in the work. Subsequently, the 2d Assistant Civil Engineer visited the works and prepared an estimate which shews that the total sum required to rebuild the Annicut amounts to Rupees 2,550.

4. The estimate having been submitted to Government, the Government have granted their sanction that the annicut should be repaired and cost defrayed in the proportions named by the Plaintiff.

5. In regard to the 2d Defendant's share, if all those persons who have an interest in the share of water belonging to his Mootah should formally resign that interest, the Collector is prepared to pay a proportionate share in the expense which should have fallen on the 2d Defendant.

6. Under these circumstances, the 1st Defendent requests that the suit may be dismissed; and that the Plaintiff, with reference to the provisions of Clause II. Section IV. Regulation I. of 1823, may be required to pay the 1st Defendant's costs.

(Signed) H. A. BRETT, *Collector.*

(True Copy.)

(Signed) G. S. FORBES, *Secretary.*

No. 14. ORDER THEREON, No. 654; dated 19th May 1858.

Ordered to be communicated to the Government Pleader together with copy of the answer with reference to his letter dated 1st Instant, No. 42.

2. The Board do not appear to have furnished the Collector of Salem with copy of the Government Pleader's letter; they will however be good enough to instruct Mr. Brett to communicate with Mr. Dale on the subject of para. 2 thereof.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

செப்பனிடுபவர் பெயர்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 7/2008

செப்பனிட்டு முடித்த நாள் 9/2008

சரிபார்க்கும் ஆராய்ச்சி உதவி மு. நி. பா. எழுத்தாளர்

கையொப்பம்

No. 1614.

From

G. S. FORBES, Esq.,
Secretary to the Board of Revenue.

To

W. H. BAYLEY, Esq.,
Acting Secretary to Government, R. D.

SIR,

In Con. 4th May 1858.

*In M. S.

In from Salem 31st Dec. 1855, in Con. 19th Jan. 1856, Enc. No. 3.

With reference to Extract Minutes Consultation, dated 3d Instant, I am directed by the Board of Revenue to forward herewith copy* of the answer filed by the Collector of Salem in O. S. No. 9 of 1855, on the file of the Subordinate Court in that Zillah. The Board have not on their records a copy of the rejoinder, but will instruct the Collector to forward one to the Government Pleader direct.

2. It will be seen from the answer that the Collector claimed exemption from costs under Cl. II, Section IV, Regulation I, 1823.

REVENUE BOARD OFFICE,
Fort Saint George,
4th May 1858.

I have the honor to be,
Sir,
Your most obedient servant,

G. S. Forbes

Secretary.

Copy to Collector of Salem, who will forward copy of his Rejoinder in O. S. No. 9 of 1855, to the Government Pleader direct.

3rd

4/13-14 R.D.

№ 654.

Extract from the Minutes of Consultation
Under date the 19th May. 1858.

Read the following
letter from the Secretary to the
Board of Revenue.

/Here enter 6th May 1858 № 1614/

Ordered to be com-
municated to the Government
Pleader together with copy of
the answer with reference to
his letter dated 1st Instant
№ 42.

The Board do
not appear to have furnished
the Collector of Salem with
copy of the Government
Pleader's letter; they will
however be good enough to
instruct Mr Brett to com-
municate with Mr Dale
on

Rec. 1858 Despatch
Dy. Secy. 28th May

Dy. 1098

From
The Secretary to the
Board of Revenue
To
The Acting Secretary to Govt.
Revenue Department.

Dated 9th May 1858
Rec. 14th Do.
1 Enclosure Petition of
Sethuraby Mr. Assistant
to the Collector of Salem
Report of 1855 with Plan of
the Estate and Statement
Enclosures returned. Petitioner
to receive Copy of Report
and Plan direct

№ 654 Dy. 19th May 1858.

Ex. Plan 14th

on the Subject of para 2 thereof.

3 Copies to the Bd. of Revs. Dispt. 20th
with the Enclo.
1 — do — Govt. Pleader - do

3/16-17 R.D.

No. 656

Extract from the Minutes of Consultation
under date the 20th May 1858.

Read the following
Extract from the Proceedings of
the Board of Revenue

Here enter 30th April 1858 No 1556

The Board submit
report, with its enclosures, from the Coll
of Vizagapatam, on the settlement
for Fusly 1266, of the Palconda
and Thongaum Estates, which
are under the management
of the Sepses Messrs Arbuthnot
& Co —

The settlement of
the fusly amounted to Rupees
1,32,980, and was Rupees 235 in
excess of that of the preceding
year. The entire demand was
realized within the fusly, with
the

the exception of Rupees 789.

The arrears of former years amounted at the commencement of the fusly to Rupees 4,393, of which Rupees 1,415 were collected during the year, leaving a balance of Rupees 2,978 for future adjustment.

The Government notice with satisfaction the intimation of the local Agent of Messrs. Arbuthnot & Co., that the ryots have been learning an improved method of making Jaggery from the cane, and they will be glad to see, in the Collector's next report, the explanation of the particulars of the new process, and its advantages over the method hitherto adopted, which the Board propose to call on him to submit.

W. H. B

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13-14

Revenue 18th December 1868.

Read the Despatch from the Government of India in the Revenue Department, dated 20th November 1868, No. 654.

Ordered that a Copy of the Despatch be sent to the Board of Revenue.

Communicate a Copy to the Government Pleader, the Letter from the Secretary to the Board of Revenue, together with a Copy of the enclosure filed by the Collector of Salem, viz. G. O. No. 9 of 1868, and the File of the subordinate Court in that Taluk.

From Government Pleader, dated 8th Instant No. 1912 with 5 Papers.

G. O. No. 654
Despatch from Govt. of India
Dated 19th May 1868.

Copy