

In the High Court of Judicature, Bombay.

Monday, the 29th day of August 1864

SPECIAL APPEAL No. 334 - of 1864.

Babaji Shet his Exrs.
& nabhat of the Satara
District - (Original Plaintiff)

Appellant

versus

Yeshwantrao Mahadeo, deceased,
his heirs and Wife Sureswatee
& bai and Shuonderao Gungad.
& heirs deceased, his heirs and Wife
Omabai and Ramchandr Bai
& pojji, Sarnabhat of the Satara
District - (Original Defendants)

Respondents

Rs. 117 - a - a -

The claim in the Original Suit was to obtain possession of some open ground.

In Appeal No. 328 - of 1863 the Judge - - - - -
of the District of Satara - - - - - at Satara confirmed the cost.
the Decree of the Juff of Bai - - - - - who had thrown out the claim.

A Special Appeal was preferred in the High Court on the grounds that (1) the District Judge was wrong in holding that a gift of land necessarily requires to be evidenced by a writing - - - - - that

that (2) the District Judge was wrong
in disposing of the case without first
deciding whether the letter produced by
the Plaintiff is, or is not in the hand-
writing of the husband of either of
the Defendants, or of any one authoriz-
ed by him to write it; that (3) the
District Judge was wrong in hold-
ing that a letter addressed by one to
his servant is invalid unless signed,
or sealed by him; and that (4) the
District Judge was wrong in hold-
ing that a gift necessarily requires
to be proved by direct evidence.

The Court confirms the decree
of the District Judge, with costs
in Special Appellant.

Joseph Arnold
Mintock Forbes
J. McArthur.

MEMORANDUM OF COSTS incurred in Special Appeal No. 334

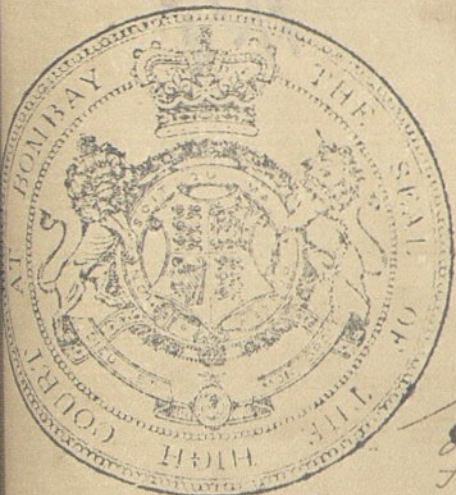
of 186 4, against the decision of the Judge - - - - of the District of Satara and disposed of on the 29th Aug 1864 by Confirming the same with Costs

BY THE APPELLANT—

<i>In the District.</i>			
In the Moonseiff's Court (including Fee)	24	3	16
In the Judges Court	15	12	8
<i>In this Court.</i>			40 " 7
Stamp for Memorandum of Special Appeal	8	"	"
Stamps for copies of Decree and Judgment	3	"	"
Stamp for Vukeelutnama	2	"	"
Batta for Process and Postage	1	14	"
Sectioner's Fee	3	"	3
Vukeel's Fee	3	8	2
			21 65
		Rupees	61 7

BY THE RESPONDENT

<i>In the District.</i>			
In the Moonseiff's Court	9	7	5
In the Judges Court	9	8	4
<i>In this Court.</i>			18 159
Stamp for Vukeelutnama	2	"	"
Vukeel's Fee	3	8	2
			5 82
		Rupees	24 7 16



G. S. M. S. S.
For Acting Registrar

G. S. M. S. S.
For Sealer

The 29th day of August 1864