

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1459	Press
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Dated	10-11-1918	1918

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 10th November 1857.

No. 36. Read the following letter from H. RICKETTS, Esq., Commissioner for the Revision of Civil Salaries and Establishments throughout India; to the Chief Secretary to the Government of Madras, dated Ootacamund, the 2nd October 1857, No. 1251.

SIR,

In conformity with para. 7 of my instructions, No. 1014, dated the 14th March 1856, I have the honor to submit for the consideration of the Right Honorable the Governor in Council, copy of my purposed report on the "Remembrancer of Legal Affairs and Government Pleader at Madras."

(Signed) H. RICKETTS,
*Commissioner for the Revision of Civil Salaries
and Establishments throughout India.*

Remembrancer of Legal Affairs and Government Pleader, Madras.

At this Presidency, the duties which devolve on the Legal Remembrancer in Bengal, have hitherto been performed by the Government Pleader, in addition to his own proper functions as Counsel for Government at the Sudder Court. The Government of Madras being of opinion that the pay of the Government Pleader, Rupees 300 per mensem, was inadequate remuneration for the combined duties, and that the designation of the appointment conveyed no accurate idea of its true status, recommended that the pay should be raised to Rupees 1,000 per mensem, and that the office should henceforth be known as that of Legal Remembrancer and Government Pleader.

The Supreme Government at first determined that the question should lie over, till it came under consideration on a general revision of salaries, but on a renewal of the application on the part of the Government of Madras, the Government of India referred the matter for the orders of the Honorable the Court of Directors; and the Court, by their Despatch, dated the 23rd July 1856, replied as follows:—"We cannot see any reason at present for so sudden and large an increase of salary. The salary of the Legal Remembrancer at Bombay is however Rupees 500 per mensem, and pending reference to the Financial Commissioners, we shall permit the same salary to be received by Mr. Norton, who performs analogous duties at Madras."

The cases in which the Government are interested, are rare at the Madras Presidency, but the number is on the increase. The average from 1851 to 1853, was sixteen, from 1854 to 1855, it was thirty. The Appeals before the Sudder Court, have aggregated seven only in five years, *Rupees 8,204-5-0. and the value of the property litigated was inconsiderable.* But the Government represent that the return gives but a very inadequate idea of the labors devolving on the Government Pleader. The Secretary writes:—"The duties are not confined to the revision or preparation of pleadings, or the conduct of suits in cases in which the Government are concerned, but involve the disposal of references made to him both by the Government and the local officers on points connected with the practice, or the construction of the law as administered in the Provinces, on which he is freely consulted in the same manner as the Advocate General, on questions falling within the jurisdiction of the Supreme Court, is on points of English law. He has also occasionally to draft or settle acts to have operation in the Mofussil. To these have also to be added the duty of appearing in the Court of Sudder Foujdaree Adalat, on behalf of the Government, in appeals preferred from the judgment of the inferior Criminal Courts, and heard by Council before the Foujdaree."

It is not the custom at Madras as at Calcutta, Bombay and Agra, to have a separate Pleader, in the Sudder Court. The whole of the business is in the hands of one person. The salary named by the Madras Government, Rupees 1000 per mensem, appears to me rather extravagant, with reference to the duties to be performed.

To the Officer who may be nominated Remembrancer of Legal Affairs and Government Pleader, I would give a salary of Rupees 650 per mensem, and appoint a Deputy on Rupees 200 per mensem, to prepare translations and pleadings, to appear in Court in cases of minor consequence, and to assist generally in the conduct of the duties of the Office. The increased expense will be Rupees 6,600 per annum.

(Signed) H. RICKETTS.

useful. He should be a native, who has been

Fort St. George, Judicial Consultation, 10th November 1857.

No. 37. From T. PYCROFT, Esq., Chief Secretary to the Government of Fort Saint George;
to H. RICKETTS, Esq., Commissioner for the Revision of Civil Salaries and
Establishments throughout India, dated 10th November 1857, No. 1459.

SIR,

I have the honor to acknowledge the receipt of your report on the Remembrancer of Legal
Affairs and Government Pleader at Madras, and am directed to inform you that the Government
do not wish to offer objections to your proposed arrangement.

(Signed) T. PYCROFT,
Chief Secretary.

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Judicial Department

No 1459

H. Richetto Esq

Sir,

I have the honor to acknowledge the receipt of your report on the remembrance of legal affairs & Govt Pleader at Madras, and am directed to inform you that the Govt do not wish to offer objections to your proposed ar-

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— arrangement, although they con-
tinue of opinion that one officer is sufficient & that it would be advisable to obtain the services of an experienced Lawyer by offering him a salary ^{which it is in contemplation} to decide between him & the Assistant.

For George
10 November 1857

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The Deputy suggested - would be really

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From Great Madras District
H. Richetto

Commissioner for the District of
Madras District

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Dr. Conwell's Paper
Judicial 1857/1858

No 1459

To
The Commissioners for the
Revision of Civil Statutes
of the Commonwealth of 1857.

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