

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	66,	Press
	12-13	~~Mis~~
Dated	21 - 5 -	19-1958

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 25th May 1858.

No. 12. Read the following letter from the Registrar and Prothonotary of the Supreme Court, Madras; to the Chief Secretary to Government, Fort St. George, dated 19th May 1858.

SIR,

I have the honor to request that the accompanying Memorial* may be forwarded to the Honorable the Chairman and the Deputy Chairman of the Court of Directors of the Honorable the East India Company.

To the Honorable the Chairman, the Deputy Chairman of the Court of Directors of the Honorable the East India Company.

The humble Petition of William Ambrose Serle, the Registrar and Prothonotary of the Supreme Court of Judicature at Madras.

SHEWETH,

That your petitioner on or about the 10th day of June 1843 was appointed Registrar and Prothonotary of the Supreme Court of Judicature at Madras, and as such Registrar and Prothonotary received certain fees of office by way of remuneration for the performance of his duties.

Act IX of 1850.

" VI of 1854.

" VII of 1855.

That under the provisions of the Acts of the Legislative noted in the margin, the practice of the said Supreme Court was altered on the Equity and Common Law sides whereby the fees of office heretofore paid to your petitioner were very considerably reduced, and your petitioner therefore presented on the 29th May 1856 a Memorial to the Right Honorable the Governor General of India in Council, praying for compensation in respect of such reduction, and to which Memorial your petitioner craves leave to refer.

* Extract Minutes of Consultation, No. 162. 2nd February 1858.

That by an Extract* from a Despatch from the Honorable the Court of Directors, No. 2023, dated 18th December 1857, your Honorable Court was pleased to award to your petitioner a sum of Rupees three hundred and forty and Annas eight per mensem, by way of compensation so prayed for by your petitioner.

That by Extract from the Minutes of Consultation, Judicial Department, No. 358, under date the 16th March 1858, your Honorable Court was pleased to award to your petitioner an additional sum of Rupees eighty-one and Annas eight per mensem by way of further compensation so prayed for by your petitioner as aforesaid.

That your petitioner is thankful for the consideration thus shewn to him, but he solicits permission to bring to the notice of your Honorable Court that as such compensation only commences from the beginning of this year, viz., 1st January 1858, and as the Acts whereby your petitioner was damnified passed in the years 1850 and 54, your petitioner is still a very severe loser by the operation of these Acts in the period intervening between the time that these Acts came into full operation, viz., 15th March 1850 and 1st May 1854, and the time at which your petitioner received the first monthly payment on account of such compensation, viz., the 1st day of January 1858, and no compensation has been awarded to your petitioner in respect of the same.

Your petitioner therefore most humbly prays that your Honorable Court will be pleased to award to him retrospectively the compensation so granted to him for his losses so sustained by him and will be pleased to sanction and direct payment to your petitioner of the monthly sum so awarded him retrospectively from the 15th March 1850 and 1st May 1854, respectively, to the 1st day of January 1858, when the 1st payment of the compensation was made to your petitioner, and your petitioner will ever pray.

Supreme Court, Madras. }
Registrar's Office, 19th May 1858. }

(Signed) WILLIAM A. SERLE,
Registrar and Prothonotary.

No. 13. ORDER THEREON, No. 661; dated 21st May 1858.

The Memorial which accompanies the foregoing letter ought to have been submitted in triplicate. Mr. Serle will be accordingly requested to furnish two more copies of it. On the receipt of these, it will be transmitted to the Honorable Court of Directors.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

From F. LUSHINGTON, Esq., Civil Auditor, Fort Saint George, to C. H. LUSHINGTON, Esq., Secretary to the Government of India,—(No. 746, dated the 30th November 1858.)

SIR,

Fixed Dept. IN compliance with the requisition contained in the order of the Government of India, in the Financial Department, dated the 29th ultimo, without No., I have the honor to state that, at the date of the abolition of the Office of Examiner in Equity at Madras, Mr. F. Orme, who held that appointment, held also the Offices of Deputy Clerk to the Crown, and Registrar of the Archdeaconry of Madras, the emoluments of which amount to Rs. 388-5-4, and that Mr. Orme's aggregate income at that date, taking Rs. 438 the average monthly amount of his receipts as Examiner, as given in the letter from the Government of India to the Madras * Copy herewith enclosed. Government, dated the 17th August* 1855, No. 3137, amounted to Rs. 826-5-4 per mensem.

No. 293-871.

JUDICIAL DEPARTMENT.

EXTRACT from the Minutes of Consultation, under date the 28th November 1855.

READ the following letter from the Master of the Supreme Court, Madras.

(Here enter 7th November 1855.)

PARA. 1. IN the Return received with the Master's letter of the 8th October 1855, the average monthly income derived by Mr. F. Orme, from Salary and fees as Examiner in Equity, during the last five years, from 1849 to 1853, was entered at Rupees 502-6-11. This was the gross income. From the return now submitted the Government observe that, the *net* monthly income received by Mr. Orme, in his capacity of Examiner during the period in question, deducting expenses, averaged Rs. 438-1-7. The moiety of the correct average, or in round numbers Rupees (220) Two hundred and twenty, will therefore be the amount of compensation per month, to be granted to Mr. Orme, subject to the restrictions imposed by the Government of India.

2. Under the orders of that Government, in the Financial Department, dated 17th August 1855, No. 3173, and communicated with the Resolution in the Home Department of the 23rd August 1855, No. 1053, the Right Hon'ble the Governor in Council resolves to grant the authorized compensation to Mr. Orme for the loss of his Office as Examiner in Equity, at the above mentioned rate of Rupees 220 per mensem. The grant will take effect from the date* * 10th February 1854. of enactment of Act VI of 1854, subject to the deduction of Rs. 175 per month, being the salary already drawn by Mr. Orme, and the same rate of compensation will be continued to Mr. Orme, so long as he remains in India and does not hold Office of equal emolument and consideration with that of which he has been deprived. The said compensation of Rs. 220 being in lieu of all Mr. Orme's emoluments as Examiner, salary included; his salary, Rupees 175 per mensem, will henceforth cease.

Ordered that these proceedings be reported to the Government of India for their information, with reference to the concluding para. of their Resolution, in the Financial Department, of the 17th August last.

(A true Extract)

T. PYCROFT,

Chief Secretary.

No.

FINANCIAL DEPARTMENT, FORT WILLIAM, THE 31ST DECEMBER 1858.

As the aggregate of Mr. F. Orme's present emoluments, including the compensation granted to him under

Deputy Clerk to the Crown	...	...	175	0	0
Registrar of the Archdeaconry	...	...	213	5	4
Clerk to the Puisne Judge	...	...	210	0	0
Compensation for the loss of the Office of Examiner in Equity of the Supreme Court in Madras	...	...	220	0	0
			818	5	4

orders of this Government, dated 17th August 1855, amounts to Rs. 818-5-4, as shewn in the margin, which is less than his former income by Rs.

8 per month, the Hon'ble the President in Council, concurring in opinion with the Government of Fort Saint George, is pleased to permit Mr. Orme to continue to draw the compensation, subject to the restrictions already imposed by this Government on the 17th August 1855.

Copy forwarded to the Civil Auditor, Fort Saint George, in reply to his letters, Nos. 235 and 746, dated, respectively, the 19th August, and 30th November last.

Copy of the correspondence communicated to the Government of Fort Saint George, for information.

By order of the Hon'ble the President in Council,

Secretary to the Government of India.

My dear Mr. Orme.

I am exceedingly
pleased to hear from
you of the success of your
application for
the proposed compensation
which I have taken
the proper course in sending
it to the Council for
their consideration.
I am very truly
yours &c.

Yours very truly
W. A. Smith
19 Dec

FINANCE

As the aggregate

Deputy Clerk to the Court
Registrar of the Archdeaconry
Clerk to the Puisne Judges
Compensation for the Clerk
in Equity of the Court

8 per month, the
Government of
to draw the compensation
vernment on the

Copy forwarded
letters, Nos. 235 &
ber last.

Copy of the
George, for information

List

1866.

The Memorial which accompanies
the foregoing letter ought to have been
submitted in triplicate. Mr. Serle will
be accordingly requested to furnish two
more copies of it. On the receipt of these
it will be transmitted to the Honorable
Committee of Directors.

*For Mr. Serle
2nd May 1858*

[Signature]

Copy to Mr. Serle. Dispd. 20th

Received in full
1/6/58

Full Lib. to Capt
15 June 1858
of 1858-

Replied: 1 September
Full Lib. 21 of 58

In Dy. to Cons: 26 Feb 58
Judicial. 1858. Sept.

From W. A. Saxe Esq
Registrar & Prothonotary
Supreme Court.
Madrid

Dy.
1/19 May 58.

1890.
T. H. Saxe.

Forwards a memorial
to the Hon. the Court of
Directors praying for
retrospective compensa-
tion for loss of fees, &
requests its transmission
to that Authority.

With an arm

12 & 13.