M.R.O. 1—38,000—16-10-29.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Judicial **DEPARTMENT.**

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|---|---|---|
| G.O. No. | 1054 | Press ~~Mis~~ |
| 56-57 | | |
| Dated | 5— 8— | ~~19~~ 1859 |

***Not to be folded or roughly handled***

## *Proceedings of the Madras Government, Judicial Department, from 30th July to 5th August 1859.*

No. 56. Read the following Extract from the Proceedings of the Government of India, in the Financial Department, under date the 25th June 1859, No. 5610.

From the Right Honorable LORD STANLEY, Secretary of State for India; to His Excellency the Right Honorable the Governor General of India in Council, dated London, the 21st April 1859, No. 34.

I have considered in Council your letter, dated the 31st December 1858, No. 36, forwarding, with reference to the Financial Despatch from the Court of Directors, of the 13th April 1858, correspondence with the Governments of Madras and Bombay, relative to the future allowances of the Administrators General at those Presidencies.

2. It appears from the Report of the Auditors of the Accounts of the Administrator General at Madras, that the commission and fees received by him during the three years following the enactment of Act VIII of 1855, have fallen short of the expenses by Rupees 4,613-3-9; that such deficiency has been met by the Administrator General out of the monthly allowance of Rupees 700, granted him by Government, and that there is no reason to expect any improvement in subsequent years. As no considerable reduction in the establishment appears to be practicable, the Government of Madras consider that so long as Mr. Teed is willing to hold the office, it should be left on its present footing (unless any marked improvement should take place in the commission) and that whenever Mr. Teed may retire, the question of the emoluments should be reconsidered.

| | Per mensem. |
|---|---|
| Salary..... | Rs. 1,200 |
| Deduct Portion paid from Fees | 500 |
| Rupees.. | 700 |

3. The Bombay Government refer to their representation on this subject made in 1857, and report that, in approving Mr. Loudon as Administrator General of Bombay in the room of Mr. Standen, they informed Mr. Loudon that the salary of the office is liable to be reduced below the present rate of Rupees 1,200 a month.

4. In forwarding these papers, you observe that Mr. Ricketts, in his report on the revision of Civil Salaries, recommended that the Remembrancers of Legal Affairs at Madras and Bombay should be each granted a salary of Rupees 650 per mensem, but you propose that the offices of Administrator General, both at Madras and Bombay, be united to those of Remembrancer of Legal Affairs, with a consolidated salary of Rupees 1,500 per mensem.

5. The duties of Remembrancer of Legal Affairs at Madras are at present combined with those of the Government Leader, who receives a salary of Rupees 6,000 per annum. At Bombay the duties are discharged by the 2nd Counsel, who receives, as Remembrancer of Legal Affairs, Rupees 6,000 per annum.

6. The arrangement proposed by your Government does not appear to be open to any objection, while it is calculated to effect a saving of expense. But no explanation is contained in the papers forwarded, whether you propose to carry it into immediate effect, or to await the occurrence of vacancies in the offices of Government Pleader at Madras, and 2nd Counsel at Bombay. It is obvious that no saving could result from an immediate transfer of the duties to the Administrator General with an increase to his salary of Rupees 300 per mensem, unless it is intended that the salaries now drawn by the Officers discharging the duties should immediately cease, or to be diminished to an extent exceeding the addition granted to the Administrator General. If you consider that the change can be made at once, so as to effect an actual saving of expense without, at the same time inflicting an injustice on the Officers now discharging the duties, I authorize your carrying it into effect.

I have, &c.,
(Signed) STANLEY.

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ORDER.—Ordered, with reference to the papers noted in the margin, that a copy of the above mentioned Despatch be forwarded to the Home Department, with a request that it may be ascertained from the Governments of Fort Saint George and Bombay, whether the proposed arrangement therein adverted to, of uniting the offices of Administrator General, both at Madras and Bombay, to those of Remem-

Endorsement, Home Department, No. 3322, dated the 8th October 1858, with enclosure.
Ditto ditto, No. 3791, dated the 27th November 1858, with ditto.
Ditto ditto, No. 3702, dated the 27th ditto, with ditto.

actual

brancer of Legal Affairs, with a consolidated salary of 1,500 Rupees per mensem, can be immediately carried out so as to effect an actual saving of expense, without, at the same time, inflicting an injustice on the Officers now discharging the duties of Remembrancer of Legal Affairs, or whether, previous to any arrangement being made, the Government must await the occurrence of vacancies in the offices of Government Pleader at Madras and 2nd Counsel at Bombay.

(A true Extract.)

(Signed) C. H. LUSHINGTON,
*Secy. to the Govt. of India.*

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No. 1353.

Copy forwarded to the Governments of Fort St. George and Bombay, for the required information.

HOME DEPARTMENT,
*The 9th July 1859.*

By order,

(Signed) R. B. CHAPMAN,
*Under Secy. to the Govt. of India.*

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No. 57. To the Secretary to the Government of India, dated Fort Saint George, 5th August 1859, No. 1054.

I have to acknowledge receipt of Endorsement, 9th July last, No. 1353, forwarding Extract from the Proceedings of the Government of India in the Financial Department, under date the 25th June last, No. 5610, relative to the proposed arrangement for uniting the Office of Administrator General with that of Government Pleader on a consolidated salary of Rupees 1,500 per mensem.

2. In reply, I am directed to state, that the arrangement cannot be immediately carried out, so as to effect an actual saving of expense. As the commission and fees now received by the Administrator General at Madras, do not cover his expenses, his net emoluments fall below the salary of Rupees 700 granted him by Government. Were the salary, Rupees 500 per mensem, drawn by the Government Pleader, transferred with the duties of that Office to the Administrator General, it would still be necessary to make him a further allowance of more than Rupees 300 a month, to raise his pay to Rupees 1,500.

3. It would doubtless be an injustice to the present Government Pleader at Madras, to deprive him of an office which he very respectably fills, and for which he has certainly not been overpaid— and it would, moreover, be impracticable to make it over to the Administrator General, as the gentleman who now holds that appointment, has not practised in the Supreme Court for many years, has never practised in the Sudder or Mofussil Courts at all, and is altogether unacquainted with the practice of those Courts, or the law there administered.

No. 85, dated 21st Jany. last.
„ 410, „ 21st March „

4. Referring to the letters noted in the margin, I am instructed to repeat the request of this Government, that Mr. Teed's emoluments be revised in the manner suggested in para. 6 of the first of those letters.

(Signed) T. PYCROFT,
*Chief Secretary.*

Exd. F. Cartledge.

Sept 9

Judicial.

No. 1054

The Secretary to the Govt. of India.

Sir,

I have to acknowledge receipt of Endorsement, 9th July last No. 1353, forwarding Extract from the Proceedings of the Government of India in the Financial Department under date the 25th June last, No. 5610, relative to the proposed arrangement for uniting the offices of Administrator General with that of Government Pleader on a consolidated salary of Rs. 1,500 per mensem.

2. In reply I am directed to state that the arrangement cannot be immediately carried out, so as to effect an actual

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As the Commission and
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the Administrator Ge-
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not cover his esepenses,
his net emoluments fall
below the salary of Rs. 700
granted him by Govt.
Were the salary, Rs 500
p mensem, drawn by the
Govt. Pleader, trans-
ferred with the duties of
that office to the Ad-
ministrator General,
it would still be neces-
sary to make him a
further allowance of
more than Rs. 300 a
month, to raise his pay
to Rs. 1500.

3. It would doubtless be
an injustice to the pre-
sent Govt. Pleader at
Madras to deprive him
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ble to make it over to the
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has not practised in
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many years, & has never
practised in the Sudder
or Mofussil Courts at
all, & is altogether un-
acquainted with the
practice of those Courts,
or the law there ad-
ministered.

No. 85 dated 21st January last.
" 410 — 21st March last.

4. Referring to the letters
noted in the margin,
I am instructed to re-
quest the request of this
Government that Mr.
Teed's emoluments be
revised in the man-
ner

manner suggested in
para 6 of the first of
those letters.

Fort St George
5th August 1859.

Pro of Govt 5 augt
Judicial 1859 Dept

No 1054

The Secy: to the Govt of
India

9/5 August/59

No 1777 Intimating why the proposed arrangements for uniting the Office of Administrator Genl with that of Govt Pleader on a consolidated salary of Rs 1500 per Mensem cannot be immediately carried out.

5045/7

C30 Aug
Rd 4 Sept