M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1316 58-59	Press Mis—
Dated 28—9— 19 1859	

Not to be folded or roughly handled

1316 Mis

No. 58. Read the following letter from CLEMENT DALE, Esq., Government Pleader, Sudr Udalut; to THOMAS PYCROFT, Esq., Chief Secretary to Government, dated 28th September 1859, No. 115.

I do myself the honor of reporting for the information of the Honorable the Governor in Council, that I have this afternoon received from Mr. Grant, the Collector of Malabar, the enclosed (original) letter,* and its enclosure. Mr. Grant does not state that he has applied to Government for leave to defend the Appeal; I therefore conclude he has not done so, and if time had permitted I should, in the ordinary course, have requested him to apply to the Government for authority to me to act; I observe, however, that the Summons was served so far back as the 19th August, consequently the six weeks will expire on Friday next the 30th Instant, and there is not time to communicate with Mr. Grant; under these circumstances, I deem it my duty to forward the letter to you without loss of time, and solicit the immediate instructions of His Excellency in Council.

* To be returned.

2. You are aware that no Pleader can act for a suitor except under authority; in Government cases, it is provided by Regulation 14 of 1816, Section 37, Clause 3rd, that the Government Pleader shall be authorized by an Order of Government, but without such an Order the Government Pleader has no more authority to appear in Court in Government cases than he can in ordinary cases without a Vakalutnamah; as time therefore presses, I would suggest that I be forthwith instructed to appear and apply for time to put in the answer. If I receive such an order before the Court sits to-morrow (half past 10 A. M.,) I will then make the application; and also obtain a copy of the Special Appeal Petition and of the Order admitting it.

No. 59. ORDER THEREON, 28th September 1859, No. 1316.

The Government Pleader will, as he suggests, appear in the Sudr Court, and apply for time to put in the answer, in the case referred to in the above letter.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Order thereon 28th September 1859 N 1216

The Proctor will on the
Suggests appearance at St Sarah
Court and apply for Com
[illegible]
[illegible]
[illegible]

List of Letters

Pmt 7th Oct 1859 Depth
Judicial
From Govt Pleader SA
To Chief Secretary to Govt
Dated 28th September 59
Rec'd

No 1032 No 115

With 2 Enclosures

Forwards a letter received from the Collector of Tatabar therein that Mr Grant does not state that he has applied to Govt for leave to defend the appeal therein referred to, and as time is not time to communicate with him, suggests that he (Govt Pleader) be forthwith instructed to appear and ask for time to put in the answer.

With an order