

# MADRAS RECORD OFFICE.

Government of Madras.

*Judicial* DEPARTMENT.

|                                                    |                          |
|----------------------------------------------------|--------------------------|
| G.O. No. <i>261</i>                                | Press<br><del>Mis.</del> |
| <i>227-228</i>                                     |                          |
| Dated <i>29</i> — <i>2</i> — <i>19</i> <i>1874</i> |                          |

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Not to be folded or roughly handled

*501/1/1/20*

*Proceedings of the Madras Government, Judicial Department,  
29th February 1864.*

No. 227. Read the following letter from A. W. SULLIVAN, Esq., Session Judge of Tellicherry; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Tellicherry, 20th February 1864, No. 26.

I have the honor to submit, for the sanction of Government, copy of a Bill of expenses submitted by Mr. George Cream, Surgeon, a private practitioner at Manantoddy, for his attendance as a witness in Session Case No. 43 of 1863.

2. Under Section 426 of the Code of Criminal Procedure, a Session Judge is empowered to order payment by or on part of Government of the reasonable expenses of any witness attending for the purpose of any trial before his Court.

3. In the Budget for 1863-64, a sum of 100 Rupees was entered under the head of "Batta or per diem allowance to prosecutors and witnesses," and under ordinary circumstances this sum would have been sufficient; up to the present time Rupees 72-8-6 having been expended, but it is not sufficient to meet an extraordinary demand like the present.

4. A lengthened correspondence has passed between Surgeon Cream and this Court concerning the amount of his expenses.

5. He first submitted a Bill for Rupees 92-4-0, based on the Notification at page 485 of the Official Gazette, dated 7th September 1863, but I disallowed this as that Notification relates to the payment of travelling allowance to prosecutors and witnesses attending Criminal trials at the High Court of original jurisdiction in public prosecutions and not to Mofussil Courts.

6. Mr. Cream next submitted a Bill for Rupees 70-8-0, which I also disallowed as being in my opinion unreasonably high.

7. He has at last submitted a Bill of head *per diem* charges for Rupees 48-8-0, for payment of which, as I consider the charges reasonable, I request the special sanction of Government.

No. 228. Omax version, 29th February 1864, No. 261.

The Governor in Council sanctions payment of travelling allowance to Mr. G. Cream, Surgeon, for proceeding to Tellicherry to give evidence before the Session Court, at the rate of eight Annas per mile for the distance travelled, including the return journey to Manantoddy, with an allowance for conveyance *libre* for one day, at the rate of two Rupees and eight Annas per diem.

(Signed) A. J. ARBUTHNOT,  
Chief Secretary.

N<sup>o</sup> 261 - 29<sup>th</sup> February 1864.

The Governor in Council sanctions payment of travelling allowance to Mr. H. Cream, Surgeon, for proceeding to Tellicherry to give evidence before the Sessions Court, at the rate of eight annas  $\frac{1}{2}$  mile for the distance travelled, including the return journey to Manantoddy, with an allowance for conveyance hire for one day, at the rate of Two Rupees & eight Annas  $\frac{1}{2}$  diem.

The Sessions Judge of  
Tellicherry - With  
enclosure returned  
" Civil Paymaster.  
" Deputy Auditor Genl.