

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	513	Press
		~~Mis.~~
142-143		
Dated	13-4-	1864

Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department,
13th April 1864.

No. 142. Read the following letter from G. BANBURY, Esq., Acting Magistrate of the Madras District; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Saidapet, 30th March 1864, No. 18.

The Government Prosecutor at the Chingleput Court has applied to me for the payment of fees, which he argues are due to him upon cases committed to the Sessions, but in which he does not appear as actual Prosecutor. He bases his application upon the grounds that he makes notes, abstracts, and gets up the cases ready for trial; but at the last moment, it not unfrequently happens that his exertions are neutralized by the Prosecutor retaining some other Counsel. If we allow the Government Vakeel nothing for such cases, he certainly undergoes considerable trouble, and labor in vain, as he cannot foresee which cases will, and which will not be placed in other hands by the injured parties.

2. The applicant in the present instance also prays that he may be permitted to receive from the Prosecutor's private fees in the shape of "refreshers" in addition to the Government payment, when the complainants are inclined to be thus liberally disposed.

3. As the Government are doubtless aware of the difficulty we have undergone in procuring a Counsel at all fitted for the purpose of public Prosecutor at the present rate of remuneration, I have the honor to submit these two points for favorable consideration.

No. 143. ORDER THEREON, 13th April 1864, No. 513.

The Governor in Council is not prepared to sanction the payment of fees to Pleaders employed as Government Prosecutors in cases in which the prosecution is not actually conducted by them.

2. With reference to the second point raised by Mr. Banbury, His Excellency in Council observes that it is open to a Pleader employed as a Government Prosecutor to accept any fees from private prosecutors which they may deem it proper to pay to him.

(True Extract.)

Chief Secretary.

To the Magistrate of the Madras District.

Rd. J. Tulloch.

For Mr. Arbuthnot
58.57
6.72.62
5-1
2.2.63

J. L. Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the M^y Magistrate
of the Madras District

(Here enter 30th March 1864 N^o. 15)

Order thereon 13 April 1864 N^o. 573.

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sanction the payment of
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W. H.

To the Magistrate of the
Madrass District } despt. 16/4

L. H.

Judicial 1864. Department.

No. 573.

PROCEEDINGS of GOVERNMENT.

Dated 13 April 1864.

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