

MADRAS RECORD OFFICE.

Government of Madras.

Indivial DEPARTMENT.

G.O. No. 575

Press
~~Mis.~~

108-159

Dated

12 — 4 — 19 1865

Not to be folded or roughly handled

6/6

Proceedings of the Madras Government, Judicial Department,

12th April 1865.

No. 108. Read the following letter from P. P. HUTCHINS, Esq., Registrar of the High Court of Judicature at Madras, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Madras, 1st April 1865, No. 30.

I am instructed by the High Court to acknowledge the receipt of your letter, dated 14th ultimo, forwarding a copy of a Bill to amend the law relating to Pleaders and Mookhtars, on which the Government desire to have the opinion of the Chief Justice and Judges.

2. In reply, I am directed to state that, in the opinion of two of the three Judges best acquainted with Mofussil practice, whatever necessity there may be for legislation on this subject in Bengal, its extension to this Presidency is neither necessary nor desirable. It is unnecessary; because the High Court already possess the power of prescribing rules for the admission of Pleaders in the lower Courts, and the duties and liabilities of persons admitted to practice are already sufficiently defined. It is inexpedient; because it is not advisable to fetter the discretion allowed to the High Court under existing regulations; because the present rules for the examination of candidates for the legal profession have been found already to operate beneficially; and because any measure which may tend to increase the prevalent disbelief in their permanency is much to be deprecated.

3. The Chief Justice does not wish to offer any observation on the Bill; but Sir Adam Bittleston is of opinion that Section 13 is likely to have a wholesome effect.

No. 109.

ORDER THEREON, 12th April 1865, No. 575.

To be recorded.

(True Extract).

A. J. ARBUTHNOT,
Chief Secretary.

Exd. J. H. Burns.

(copy)

4.
Jud^l Department

N^o 396.

To

The Chief Justice of the
High Court of Judicature
at Madras.

Hon^{ble} Sir

I am directed
to request that His
Excellency the Governor
in Council may be fa-
vored with the opinion
of the Hon^{ble} the
Judges of the High
Court on the provisions
of the enclosed Bill
to amend the law
relating to Pleaders
and Mokhtars.

I

I am to request
that as the Bill
will probably be
taken into consideration
at an early date, the
opinion of the Judges
may be furnished
at their earliest
convenience.

{ For St George
to the 1865

I have you

/Signed/ J. J. Robertson
Scribner

2

The Act cannot be applied to Maryland
under the opinion given by the High
Court -

I see no necessity for sending
this letter to the Supreme Court. His
is to apply or not to apply the Act to
our own Presidency as a matter
The way to Maryland has been with

Regarding the
opinion of the High
Court judges on the
Bill to amend
the law relating to
Slavery & Masters

Imperial Council of drafting
 in Act for our Province and
 by a final vote on leaving it to
 the other parts to adopt the Act, as
 it stands, if they like, but with-
 out prior experience. I shall
 be on a footing then an oppor-
 tunity for adopting the Act to
 be our local people. It
 is very clumsy & of a piece
 with much more is done
 in that Council.

W.D.

W.D.

Pro: 14th March 1865 No 79.
 Geo. George G. Supplement

1865 Department
 No 79.

The Registrar of the
 High Court of Judicature
 at Madras.

The Chief Secretary to
 Government

Dated 1st April, 1865.
 R. D. 82

No 789

Stating that the
 extension to this Presidency
 of the Bill to amend the
 law relating to Measur-
 and Mookhtars, is neither
 necessary nor desirable.

12 April 1865 No 575.
 W.D. Recorder

108.109.