

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1681	Press ~~Mis.~~
Dated 24. 10. 1918	

301-302

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Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department,
24th October 1866.

No. 301. Read the following letter from the Controller of Military Accounts, to the Secretary to Government, Military Department, Fort Saint George; dated Fort Saint George, 16th October 1866, B.

I have the honor to forward a letter from the Examiner, Pay Department, dated 13th October 1866, No. 2673, requesting the exemption of Mr. T. E. Greenfield, the Assistant Examiner, from liability to serve as a Juror, under the provisions of Section 3 of the New Jury Rules.

Vide Fort Saint George Gazette, dated 21st November 1865, page 763.

2. The above Section exempts, *inter alios*, the "Principal Accountant and the Registrar of the Military Auditor General's Office," an appointment which no longer exists, but which substantially corresponds to that now held by the Assistant Pay Examiner.

3. Mr. Greenfield has been summoned to serve during the ensuing Sessions, which commence on the 1st proximo; and, as his presence in the Pay Department is particularly required now, during the introduction of the new system of payment of European Troops, I have the honor to request that you will be good enough to obtain his exemption as early as practicable.

4. As, on the above ground, his *ex iure* exemption is solicited, it is unnecessary to remark on the reasons for Mr. Greenfield's exemption from the Common Jury, adduced in the concluding paragraph of Major Rideout's communication.

From Major J. W. RIDEOUT, Pay Examiner, to the Controller of Military Accounts; dated Fort Saint George, 13th October 1866, No. 2673.

Mr. T. E. Greenfield, the Assistant Pay Examiner, having been summoned to serve on the Common Jury at the ensuing Sessions, on the 1st November next, I have the honor to request that you will be so good as to move Government, as early as possible, to obtain for him exemption from serving on any Jury, with reference to Clause 3 of the new Jury Rules, published in the *Fort Saint George Gazette*, of 21st November 1865, page 763.

2. This Clause exempts from Jury Service the Uncovenanted Assistants and Managers of Government Offices, and in the list is included the "Principal Accountant and Registrar of the Military Auditor General's Office." This appointment, as you are aware, no longer exists, having been absorbed in the newly organized Establishment of the Examiner, Pay Department, from the 1st January 1862. Mr. Greenfield succeeded to the salary of the appointment from that date, with the designation of Assistant Pay Examiner, and being the Principal Uncovenanted Assistant in the Department of Military Finance, it is necessary, I submit, that he be exempted from serving on Juries. His absence from Office next month would be most particularly inconvenient and detrimental to the Public Service, as the new system of accounts with European Troops will then have just commenced, and the assistance of every experienced Officer in the Department will be absolutely necessary.

3. I may mention, as a further ground for Mr. Greenfield's exemption, that, some years ago, he was placed on the Grand Jury List by the Puisne Judge, Sir A. Bittleston, in virtue of his being a Captain in the Volunteer Guards. He served on the Grand Jury in 1862; and it appears to me that he has been included in the Common Jury List of 1865, in violation of the provisions of Act No. 19 of 1864, Article 12, which grants to persons then on the Grand Jury List the privilege of serving only on Special Juries.

Forwarded to the Judicial Department, in view to the required exemption being obtained from the Judges of the High Court.

FORT SAINT GEORGE,
18th October 1866.

(Signed) H. MARSHALL, Major Genl.,
Secretary to Government Military Dept.

*Proceedings of the Madras Government, Judicial Department,
24th October 1866*

No. 302. To the Honorable Sir ADAM BITTLESTON, Kt., Acting Chief Justice of Her Majesty's High Court of Judicature, Madras, dated Fort Saint George, 24th October 1866, No. 1681.

I am directed by the Governor in Council to annex a copy of a letter from the Controller of Military Accounts, and, under the circumstances therein represented, to request that Mr. T. E. Greenfield, Assistant Pay Examiner, may be exempted from serving on the Jury.

Dated 16th October 1866, B.

(Signed) J. D. SIM,
Secretary to Government.

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judicial Dept
No. 1681.

To the Honorable Sir Adam Bittleston, Kt.
Acting Chief Justice of the High Court
of Judicature, Madras.

Honorable Sir,

Dated 16th Oct. 1866, No. 302.

I am directed by the Governor in Council to annex a copy of a letter from the Controller of Military Accounts and, under the circumstances therein represented, to request that Mr. T. E. Greenfield, Assistant Pay Examiner, may be exempted from serving on the Jury.

W. D. M.

For L. Genl. }
24th Oct. 1866 }

301.302

Judicial 1866. Department.

No. 1681

To the Honorable

President of the Court

of the Supreme Court of the State of New York

Presented

Dated 24 October 1866

For the Court

of the Court