M.R.O. 1—82,400—22-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1932 Press ~~Mis.~~

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Dated 12. 12. 1866

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
12th December 1866.

No. 66. Read the following letter from the Honorable Sir ADAM BITTLESTON, Kt., Acting Chief Justice of Her Majesty's High Court of Judicature, to the Right Honorable the Governor in Council, Fort Saint George; dated Madras, 4th December 1866.

I have the honor to acknowledge the receipt of a letter from the Chief Secretary to Government, dated 22nd November last, in reply to a letter of the Chief Justice, dated the 20th August last.

2. The Chief Justice, in his letter, requested the assent of your Excellency in Council to a reduction, which he then proposed, in the salary of Commissioner and Taxing Officer, from Rupees 933-5-4 to Rupees 650 per month; and Mr. Arbuthnot's letter suggests, for my consideration, whether it would not be preferable to abolish the office of Commissioner as a permanent appointment, and to appoint an Officer to perform the duties provided for in Sections 179 to 182 of the Civil Procedure Code, on occasions arising from time to time.

3. I confess that my own impression is that it would be very difficult in Madras to find, from time to time, as the occasion arose, any persons, not regular Officers of the Court, both competent and willing to undertake those duties; and if they must be discharged by an Officer of the Court, it would seem desirable to make some definite provision for the discharge of them in the official arrangements; but, in order that the Chief Justice may have the opportunity of considering the suggestion of your Excellency in Council, I propose, with your permission, to postpone the settlement of that question until his return.

4. During the brief interval, I hope, with the assistance of my brother Judges, to be able so to arrange, as to the investigation of matters of account and the like, that no inconvenience to the suitors may result.

5. With reference to the taxation of costs and the taking of security, I propose, as a temporary measure, that these duties should be discharged by the Registrar on the Original Side; but I can assure your Excellency in Council that it is a mistake to suppose that the duties of that Officer are light.

6. The reverse is the case; and in order to enable him to discharge the duties above mentioned, it will be necessary for me to relieve him from some part of his present duties.

7. I am informed that the new duties will occupy two or three days in each week; and his attendance in Court must, therefore, be dispensed with for that number of days at least. This, however, cannot be done without assistance, and I propose that, whenever two Courts are sitting (which is generally the case four days a week) the Judge's Clerk should act as an Assistant Registrar in one of the two Courts. Thus, extra work will be thrown both upon the Assistant Registrar and upon the Judge's Clerk; and, as the arrangement is merely a temporary one, I would ask your Excellency in Council to sanction an extra allowance of 50 Rupees a month to each of those Officers, during its continuance.

8. I desire, also, that Mr. D'Sena, the Manager in Mr. Dale's Office, who has knowledge and experience, which will be useful, both as regards the records of that office, and, also, as regards some matters connected with taxation of costs, may be transferred to the Registrar's Office, at his present salary of Rupees 70 per month, when his services are no longer required by Mr. Dale.

Registrar

9. Trusting that the arrangement which I have proposed, pending the decision of the question raised by Mr. Arbuthnot's letter, will meet with the approval of your Excellency in Council, I have the honor to be, &c.

No. 67. ORDER THEREON, 12th December 1866, No. 1931.

The Governor in Council approves and sanctions the temporary arrangement proposed in the foregoing letter, for the taxation of costs and the taking of security in the High Court.

2. Under this arrangement, the duties in question will devolve upon the Registrar on the Original Side of the Court, that Officer being relieved from a portion of his present duties by the Assistant Registrar and Judge's Clerk, each of whom, in consideration of such extra work, will receive an additional allowance of Rupees (50) fifty per mensem, so long as the arrangement may continue. The Registrar's Office will, also, be temporarily strengthened by the addition of a Clerk, on a salary of Rupees (70) seventy per mensem, which office will, for the present, be filled by the Manager of Mr. Dale's Office.

3. The settlement of the question of the arrangement to be made permanently for the performance of the duties of Commissioner will, as suggested by the Acting Chief Justice, be deferred until after Sir Colley Scotland's return.

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

No. 68. To the Honorable Sir ADAM BITTLESTON, Kt. Acting Chief Justice of Her Majesty's High Court of Judicature, Madras, dated Fort Saint George, 12th December 1866, No. 1932.

In acknowledging the receipt of your letter of the 4th instant, I am directed to inform you that His Excellency the Governor in Council approves and sanctions the temporary arrangement proposed by you for taxation of costs and the taking of security in the High Court.

2. Under this arrangement, the duties in question will devolve upon the Registrar on the Original Side of the Court, that Officer being relieved from a portion of his present duties by the Assistant Registrar and Judge's Clerk, who, in consideration of such extra work, will receive, respectively, an additional allowance of Rupees 50 per mensem, so long as the arrangement may continue. The Registrar's Office will, also, be temporarily strengthened by the addition of a Clerk, on a salary of Rupees 70 per mensem, which office will, for the present, be filled by the Manager of Mr. Dale's Office.

3. The settlement of the question of the arrangement to be made permanently for the performance of the duties of Commissioner will, as you suggest, be deferred until after Sir Colley Scotland returns.

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

Exd. J. H. Burns.

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Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Hon: Sir A Bittleston. Acting Chief Justice of the High Court.

Dated 4th Dec 1866.

Order thereon. 12th Dec 1866 No 1931.

The Governor in Council approves and sanctions the temporary arrangement proposed in the foregoing letter for the taxation of costs and the taking of security in the High Court.

2 Under this arrangement the duties in question will devolve upon the Registrar

on the Original Side of the Court, that Officer being relieved from a portion of his present duties by the Assistant Registrar and Judges each of clerk, whom in consideration of such extra work, will receive respectively an additional allowance of Rupees 150/ per mensem, so long as the arrangement may continue. The Registrar's office will also be temporarily strengthened by the addition of a Clerk on a salary of Rupees 70/ per mensem, which office will for the present be filled by the Manager

of

of the Dales' Office.

The settlement of the question of the arrangement to be made permanently for the performance of the duties of Commissioner will as suggested by the Ag Chief Justice, be deferred until after Sir Colley Scotland's Return.

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Judicial 1866. Department.

No. 1932.

PROCEEDINGS OF GOVERNMENT.

Dated 12th December 1866.

Judicial Dept.

No. 1932.

To

The Honorable Sir A. Bittleston Kt.
Acting Chief Justice of the High Court
of Judicature - Madras

Hon'ble Sir,

In acknowledging the receipt of your letter of the 4th Instant, I am directed to inform you that His Excellency the Governor in Council approves and sanctions the temporary arrangement proposed by you for taxation of costs and the taking of Security in the High Court.

2 Under this arrangement the duties in question will devolve upon the Registrar on the Original Side of the Court that officer being relieved from a portion of his present duties by the Assistant Registrar and Judges' Clerk who in consideration of such extra work

will

will receive respectively an additional allowance of Rs. 50 per mensem so long as the arrangement may continue. The Registrar's Office will also be temporarily strengthened by the addition of a clerk on a salary of Rs. 70 per mensem which Office will for the present be filled by the Manager of Mr. Dale's Office.

3 The settlement of the question of the arrangement to be made permanently for the performance of the duties of Commissioner will, as you suggest, be deferred until after Sir Colley Scotland returns.

Fort St. George
12 Decr. 1866

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Judicial 1866 Department

No. 1932

To

The Honorable
The A. Chief Justice of the
High Court of Judicature
Madras

Dated 12 December 1866

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