

MADRAS RECORD OFFICE.

Government of Madras.

Political DEPARTMENT.

G.O. No. 240 Press
Mis

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Dated 18-2-1867

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Not to be folded or roughly handled

No. 240.

To

THE HONORABLE SIR A. BITTLESTON, Kt.,
Actg. Chief Justice of Her Majesty's High Court of Judicature,
Madras.

HONORABLE SIR,

In forwarding the accompanying copy of letters from Mr. J. C. Henderson of
 Tellicherry, requesting to be authorized
 Dated 11th December 1866, and 25th January 1867. to plead in the Mofussil Courts, I am
 directed by the Right Honorable the

Governor in Council to request that the Honorable the Judges of the High Court
 will be so good as to favor Government with their opinion on the application.

I have the honor to be,

Honorable Sir,

Your most obedient Servant,

FORT SAINT GEORGE,
 18th February 1867.

Chief Secretary.

To

HIS EXCELLENCY THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL,
Fort Saint George.

The Memorial of JAMES CHARLES
 HENDERSON, Solicitor in the Su-
 preme Courts of Scotland, residing
 in Tellicherry.

SHI EWETH,

That the Memorialist, after undergoing a thorough general collegiate and legal
 education, was admitted in the year 1857 a member of the body or Society of Soli-
 citors of the High or Supreme Courts of Scotland, after service of Articles and exa-
 mination, and production of the necessary certificates of having attended the Law
 and other courses at the University. Since that time the Memorialist has been in
 the regular practice of his profession in Edinburgh, under yearly license from Go-
 vernment, until last year, when failure of health obliged him to seek a warmer
 climate.

The health of the Memorialist having much improved during his residence
 in this District, he is desirous of resuming, in the Mofussil Courts of this coast, the
 practice of his profession; but he finds that, in order to qualify as a Pleader in the
 Mofussil, he is required to undergo examinations in various subjects, including
 the vernacular of the District.

Attornies of the High Court of Madras are entitled to plead in the Mofussil
 Courts and do so extensively, and that in Districts with the vernacular of which
 they are in most instances unacquainted. Had the Memorialist been a Solicitor of
 the English Courts in place of, or in addition to, the Scotch Courts, he would have
 been entitled to be admitted at once and without examination an Attorney of the
 Madras High Court, a distinction which appears to the Memorialist to be somewhat
 invidious.

The Pleaders at present practising in the Malabar Courts consist entirely of Natives. Owing to the large number of European Coffee Planters and other settlers in the Wynaad and other Districts of the Province, the want of a respectable European Pleader and Attorney is much felt. The Memorialist would incur much delay and expense in preparing himself for an examination in the vernacular (Malayalam). In these circumstances, and keeping in view the professional position of the Memorialist, he submits that he is not unreasonable in craving your Excellency to authorize the examinations, or at any rate the vernacular portion, in the present case, to be dispensed with, and to direct that the Memorialist be placed on the Roll of Registered Pleaders in the Mofussil, on payment of the proper fees.

There are herewith produced a printed Roll of the Members of Solicitors in the Supreme Courts of Scotland, showing that your Memorialist was, in the year 1857, admitted a member of that body; also a certificate by the Joint Secretary of the Society, dated the 17th day of October last (1866), certifying that the Memorialist is a member of that body.

May it, therefore, please your Excellency to authorize and direct that the Memorialist be admitted as a Pleader in the Mofussil Courts.

And your Memorialist will ever pray, &c.

TELLICHERRY, 11th December 1866.

(Signed) J. C. HENDERSON.

To

HIS EXCELLENCY THE RIGHT HONORABLE THE GOVERNOR IN COUNCIL,

Fort Saint George.

Supplementary Memorial of JAMES
CHARLES HENDERSON, Solicitor
in the Supreme Courts of Scotland.

SHEWETH,

That the Memorialist had the honor, on 11th December last, to transmit to your Excellency in Council a Memorial, praying that he might be admitted as a Pleader in the Mofussil Courts, to which Memorial he begs respectfully to refer.

The Memorialist has since received from Scotland the following documents:—

1. Certificates of School and University Education.
2. Indenture of apprenticeship, on Stamp of £30, 1844.
3. Certificates of attending the Law courses, and of completing Articles satisfactorily.
4. Act and Decree, admitting Memorialist to the office of Solicitor before the Supreme Courts of Scotland, 1857 (on an £85 Stamp).
5. Certificate of the Memorialist having taken the prescribed oaths before the Court, 21st January 1857.
6. Eight yearly certificates or licenses by Government to the Memorialist to practise his profession, from 1857 to November 1865, on Stamps, the first two of £410 each, the others £9 each.

N. B.—The Memorialist left Scotland for India in September 1865.

As these documents are numerous, and some of them are on valuable Stamps the Memorialist has not forwarded them, but he is prepared either to do so, or to submit them for the examination of any one in this District who may be appointed to inspect them. Copies are herewith forwarded of the Act and Decree, admitting the Memorialist to the office of a Solicitor before the Supreme Courts of Scotland, and of his last Attorney license from Government to practise, and he can

most

trusts that your Excellency will grant him the authority for which he prays, to exercise his profession without the delay of acquiring and passing an examination in the vernacular.

The Memorialist observes that Advocates of the Scotch Bar are entitled to practise as Advocates in Madras, while Attornies of the Courts of Westminster and Dublin only, and not of the High Courts of Scotland, are entitled to be admitted Attornies at Law of the High Courts of Madras, a distinction which the Memorialist is at a loss to account for, and which bears upon him with much hardship, depriving him of the exercise of his profession for the support of himself and his family, and preventing him rendering his services in a District where they are very much required and sought for.

The Memorialist, therefore, prays that his case may receive your Excellency's favorable consideration, and that the necessary authority to exercise his profession may be granted.

And your Memorialist will ever pray, &c.

TELLICHERRY, 25th January 1867.

(Signed) J. C. HENDERSON.

Certificate for a Writer to the Signet, Solicitor, Agent, Attorney, Procurator or Notary Public, admitted or enrolled, three years or upwards, and resident within the City or Shire of Edinburgh.

No. 203.

Nine Pounds.

£9.

Office of Inland Revenue, Edinburgh.

I, George Anderson, the Distributor and Registrar of Attornies' Certificates for the City and Shire of Edinburgh, duly appointed by the Commissioners of Inland Revenue, do hereby certify, that James Charles Henderson, s. s. c., 99, George Street, Edinburgh, hath delivered into my office a note in writing, containing his name and place of residence as herein set forth, pursuant to the Acts of Parliament relating to the Stamp duties on Certificates, to be taken out by Writers to the Signet and others, and that he hath paid the Duty for this Certificate; by virtue whereof, he is at liberty to practise as a Solicitor or Agent, Attorney, Procurator, or Notary Public, (if duly admitted or enrolled) from the day of the date hereof, until the thirty-first day of October, one thousand eight hundred and sixty-five, both inclusive, and no longer.

Given under my hand, this first day of November, in the year of Our Lord one thousand eight hundred and sixty-four.

(Signed) G. ANDERSON,

Registrar.

NOTE.—This Certificate must be entered by the Officer appointed by the Court of Session, pursuant to the 9 George IV, c. 49, s. 7.

G. 500, 8-62.

Act and Decree, admitting James Charles Henderson to the Office of an Agent or Solicitor before the Supreme Courts of Scotland.

Stamp £ 85.

21st January 1857.

At Edinburgh, the twenty-first day of January one thousand eight hundred and fifty-seven years. Upon the petition presented to the Lords of Council and Session for, and in name of James Charles Henderson, Writer in Edinburgh, sitting in Judgment, the said Lords, having considered the Report upon the petitioner's qualifications, and the petitioner having appeared at the Bar and taken the oath *de fidei administratione*, admitted and hereby admit, the said James Charles Henderson, to the Office of an Agent or Solicitor before the Supreme Courts of Scotland, and ordained and hereby ordain his name to be added to the Roll of Solicitors, and inserted in the books of Sederunt, and decerned and hereby decern. Extracted by me, Principal Extractor in the Court of Session.

(Signed) J. PARKER.

Exd. J. Tulloch.

desd 22/2/67
With orig Paper & the returned

N^o 240 Judicial Department

To
The Hon'ble Sir A. Pittlestone Kt.
Acting Chief Justice of the High
Court of Judicature

Hon'ble Sir,

dated 11 December 1866
& 25 Jan'y 1867.

JP
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WHL

Fort Saint George
18th February 1867

In forwarding the
accompanying copy of a letter
from Mr. J. C. Henderson
of Tellicherry requesting to
be authorized to plead
in the Mofussil Courts, I
am directed by the Right
Honorable the Governor in
Council to request that
the Honorable the Judges
of the High Court will
be so good as to favor
Government with their
opinion on the application.

Judicial 1867 Report.

c. 240.

To
The Honorable
The U. S. Chief Justice of the
High Court of Judicature
Madras

Dated 18 Aug 1867.

[Signature]

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[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

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