

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	315	Press
		~~Mis~~
Dated	27-2-1918	

249-250

5/6

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
27th February 1867.*

No. 249. Read the following letter from D. F. CARMICHAEL, Esq., Magistrate of Vizagapatam, to the Chief Secretary to Government, Fort Saint George; dated Vizagapatam, 27th November 1866, No. 319.

Adverting to the Order of Government marginally noted, I have the honor to remind you that there are no funds available in this Zillah for the salary of the Government Vakil in the Civil and Session Court.

Judicial Department, No. 1369, 1st September 1866.

2. When the Civil Court was first established here on the arrival of the Judge, Mr. Collett, the Government Vakil of the late Subordinate Court was duly sworn in; but as I gave the learned Judge (who exacted a high scale of efficiency) a public Prosecutor out of my own office, a man several degrees better than any Vakil in his Court, and as, further, there was little or no Government business on the Civil side, Mr. Collett proposed, with my approval and after considerable correspondence with the High Court, to abolish the office and to appropriate the salary as under—

	RS.
1 Additional Writer.....	17
Increase to pay of Nazir.....	3
Do. to Masaulchee	1
Total...	21

and to this the Government assented on the 14th June 1864.

3. As the office is now to be revived, the question is where the money is to come from.

No. 250. ORDER THEREON, 27th February 1867, No. 315.

Before passing final orders on the proposal for abolishing the appointment of a Government Pleader on a fixed salary in the Civil and Sessions Court of Vizagapatam, the Government request that Mr. Carmichael will state what arrangements he contemplates, in the event of the office of Pleader being abolished, in cases in which suits are filed against Government.

2. Mr. Carmichael's attention is drawn to Sections 52 and 67 of the Code of Civil Procedure.

(True Extract).

Chief Secretary.

To the Magistrate of Vizagapatam.

Exd. J. Tulloch.

h. s. Tulloch

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Magistrate of Vizag-
apatnam.

Here under 27th Nov/66 N^o 319.

G.O. No.

As it is the opinion
of the Collector and Magis-
trate of Vizagapatnam that
there is no necessity for the
appointment of a Govern-
ment Pleader on a fixed
salary in the Civil and
Sessions Court of Vizaga-
patnam, the Governor in
Council does not deem it
necessary to provide the office
at present.

Before passing this order
I would ask Mr. Commis-
sioner in what manner he proposes
to get over the difficulty of not
having a fixed salary in the
Civil and Sessions Court. See
Section 52 of Civil Code which
clearly contemplates
an office being
created in the
Magistrate's Court.

To the Magistrate of Vizagapatnam
Superintendent of Police
in what is known as the
Magistrate's Court of Vizagapatnam

3.
Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

And the following letter
from the Magistrate of Vizaga-
patnam.

(Here enter 27th Nov. 1865 p. 212)

Order thereon of February 1867 p. 315.

Before passing final
orders on the proposal for
abolishing the appointment
of a Government Pleader
on a fixed salary in the
Civil and Sessions Court
of Vizagapatnam, the govern-
ment request that Mr
Carmichael will state
what arrangements he
contemplates in the event
of the office of Pleader
being

J.P.

W.C.

being abolished, in cases
in which suits are filed
against Government.

2 Sections 52 and 67 of the Civil Procedure Code
evidently contemplate the retention of a Government
Pleader in each Court
for the purposes described
in the above sections.

713

14 110

To the Magistrate of Nagpur.

1/3/67

15-647/65-947973.
16th June 1924-1924-1925

James H. King

Indicant 1864. Department.

No. 3/55

PROCEEDINGS OF GOVERNMENT.

Of 15/1/23.

Dated 24th June 1924

219 + 250