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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial DEPARTMENT

G.O. No.
B.P. No.

489

Press.
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Dated

16-3-1868

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Not to be folded or roughly handled

The Chief Secy.

*Proceedings of the Madras Government, Judicial Department,
16th March 1868.*

No. 170. Read the following letter from the Officiating Government Pleader, Madras, to the Chief Secretary to Government, Fort Saint George; dated Madras, 14th January 1868, No. 6.

In compliance with your request, I have the honor to send, for the information of Government, a Memorandum showing the nature and extent of the work of my Office of Government Pleader, derived from the records of the past year, including therein the amount of work done since the commencement of the present year, thus bringing the Memorandum up to date.

MEMORANDUM.

During the year 1867, the Government Pleader—

Prepared two Petitions of Appeal to Her Majesty in Council in matters in which Government are interested; and advised the Right Honorable the Secretary of State at full length thereon;

Appeared on behalf of Government on the hearing of seven Appeals before the Appellate High Court at Madras, having prepared such Appeals as were necessary;

Appeared also with the Advocate General before the Appellate High Court on the argument as to the liability of Appeals from Degrees of Mofussil Courts and applications, to the increased Stamp Duty under the amended Stamp Act XXVI. of 1867;

Received 213 letters and Proceedings, consisting chiefly of references from the Board of Revenue, the Court of Wards, Collectors, and other Officers of Government in the Mofussil, and advised upon all such references, the number of letters written being 166, exclusive of demi-official notes, of which no entry is kept;

Perused papers and prepared pleadings in eight suits in the Mofussil Courts, forming part of such references, in which Government were either parties or interested, and advised as to the conduct of those suits in their different stages; and,

Prepared two Special Deeds of Agreement in matters in the Mofussil.

Since the 3rd January, instant, the Government Pleader has—

Received fourteen official letters and references, one of such references being in relation to a heavy suit now pending in the Civil Court of Rajahmundry in which the Government are defendants, and the subject of the suit is the recovery of an Island in the Godavery river, and Rupees 16,618 for mesne profits; and another reference being in relation to an appeal to the High Court on behalf of the Government;

Prepared the Special Appeal to the High Court above referred to; and,

Written seven official and demi-official letters.

In addition to the classes of work above adverted to, the Government Pleader has to appear on the hearing of all Criminal Appeals before the Appellate High Court, in which he may be required by the Court to appear in support of conviction.

To enable him to carry on the work of the Office of Government Pleader, and the very heavy work of the office of Government Solicitor, Mr. Brockman has employed a special establishment of clerks, whose whole time and attention are devoted to the Government work, and whose salaries amount to Rupees 375 per month. To this sum have to be added the wages of Peons and Punkah-men, amounting to Rupees 25 per month. Stationery is also required for the use of the Office of Government Pleader, the High Court having lately declined to continue the supply to the Government Pleader of the stationery which that Court and the Sudder Court before it used to furnish.

The Government Solicitor's salary is Rupees 1225 subject to a deduction of Rupees 50 for Office rent, and the Government Pleader's pay is Rupees 500, making together Rupees 1675, from which deducting the above mentioned sums of Rupees 375 and Rupees 25, leaves a net sum of Rupees 1275, which last mentioned sum is only Rupees 50 more than the proper salary of the Government Solicitor without deductions.

**Proceedings of the Madras Government, Judicial Department,
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The special establishment above mentioned has been found absolutely necessary for the efficient management of the onerous duties of the offices of Government Solicitor and Government Pleader.

The Government Pleader is paid his regular fees in Regular and Special Appeals before the High Court, in which he appears for Collectors and other Government officials in the Mofussil, by them; but the whole of the fees so received by him during the past year do not exceed 85 Rupees.

MADRAS, 14th January 1868. (Signed) H. J. BROCKMAN,
Offg. Govt. Solicitor.

No. 171. MINUTE by the Honorable A. J. ARBUTHNOT, dated 17th February 1868.

When Mr. Dale vacated the appointment of Government Pleader in April last, it was decided that a temporary arrangement should be made for the performance of the duties of the office, and that on the return of the Advocate General, who was then absent on leave, it should be ascertained whether Mr. Norton would be willing to undertake the office in addition to that of Advocate General. Mr. Norton, with whom I have been in communication on the subject, has suggested to me the expediency of adding the duties now performed by the Government Pleader to those of the Advocate General and Government Solicitor, granting a suitable addition to the salaries of each of these Officers. By this arrangement the whole of the legal business of the Government, whether in the Provinces or in the Presidency Town, would be put upon the same footing. In both classes of business the papers would, in the first instance, be prepared by the Government Solicitor, and would by him be submitted to the Advocate General for his opinion, and the Government would have the great advantage of obtaining, for the whole of their legal business, the aid of the two men who are presumably the ablest men in their respective branches of the profession. It happens not unfrequently that the Government business, which comes before the Courts in the Provinces, is of considerable importance, whether with reference to the amount in litigation, or to the principles involved, and it is obviously very desirable that in such cases the Government should be able to avail itself of the best legal advice procurable. It cannot be said that this is the case under the present system.

2. I recommend that an application be made to the Government of India to sanction the arrangement suggested by Mr. Norton. The salaries at present assigned to the three Officers are as follow:—

	RS.	A.	P.
Advocate General.....	2,187	8	0
Establishment of do.	115	0	0
Government Solicitor.....	1,225	0	0
Government Pleader.....	500	0	0
Total ...	4,027	8	0

3. The Government Pleader also receives fees in cases in which he is required to appear.

4. If the separate office of Government Pleader be abolished, and its duties divided between the Advocate General and the Government Solicitor, I would raise the salary of the Advocate General to Rupees 2750 per mensem, and that of the Government Solicitor to Rupees 1500 per mensem. The increase of charge

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would be Rupees 337-8-0 per mensem. I understand that the Government Pleader has at present no office establishment, and that the present incumbent is obliged to pay two Clerks out of his present very inadequate salary. The sum of Rupees 100 should be granted for this purpose, making a total increase of Rupees 437-8-0 per mensem.

5. It will be seen from the annexed statement of the salaries of the Law Officers attached to the High Courts at Calcutta and Bombay, that if the arrangement which I now suggest be sanctioned, the cost of the Government Law offices at Madras will be less than that of the Law Officers employed at Bombay by Rupees 740 per mensem, and less than the aggregate of the salaries of the corresponding Officers at Calcutta by Rupees 6721 per mensem. The inadequacy of the salary attached to the office of Government Pleader has long been felt, and was represented to the Supreme Government many years ago. It is very desirable that a remedy should be applied without further delay. A copy of a Memorandum on the duties of the Government Pleader is annexed.

(Signed) A. J. ARBUTHNOT.

STATEMENT.

Calcutta.	Bombay.	Madras.	
		Present Salaries.	Proposed Salaries.
RS.	RS.	RS. A. P.	RS.
Advocate General..... 3,100	Advocate General... 2,400	Advocate General..... 2,187 8 0	Advocate General... 2,750
Office Establishment of do. ... 313	Remembrancer of Legal Affairs..... 500	Establishment of do. 115 0 0	Establishment ... 115
Standing Counsel. 1,333	Government Solicitor and Public Prosecutor... 2,500	Government Solicitor... 1,225 0 0	Government Solicitor... 1,500
Government Solicitor... 2,050	Government Pleader..... 300	Government Pleader ... 500 0 0	Establishment of do. ... 100
Establishment... 1,000		Public Prosecutor.... 500 0 0	Public Prosecutor... 500
Superintendent and Remembrancer of Legal Affairs..... 2,500			
Establishment of do. 785			
Two Government Pleaders at Rs. 300 each... 600			
Total .. 11,681	Total... 5,700	Total... 4,527 0 0	Total... 4,965

No. 172. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 16th March 1868, No. 459.

I am desired by the Governor in Council to state, for the information of the Government of India, that when Mr. Dale vacated the appointment of Government Pleader a temporary arrangement only was made for the performance of the duties of the office, with a view to submitting, for the sanction of the Governor General in Council, an arrangement which will, it is believed, prove of advantage in conducting the legal business of the Government.

*Proceedings of the Madras Government, Judicial Department,
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2. It is proposed to add the duties now performed by the Government Pleader to those of the Advocate General and Government Solicitor. By this arrangement the whole of the legal business of the Government, whether in the Presidency Town or in the Provinces, would be on the same footing; the papers being prepared by the Government Solicitor and submitted by him to the Advocate General.

3. Much of the business of the Government which comes before the Courts in the Provinces, is important both from the amount litigated and the principles involved; and it is, therefore, obviously very desirable that the Government should have the aid of the two men who are presumably the ablest in their respective branches of profession.

4. The salaries at present assigned to these officers are as follow:—

	RS.	A.	P.
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7. From the Statement annexed, it will be perceived that even with the additional charge proposed, the cost of the Law Officers of this Government is less by Rupees 740 than that of the Law Officers at Bombay, and less than the salaries of the corresponding offices at Calcutta by Rupees 6721 per mensem. The inadequacy of the salary at present assigned to the Government Pleader at this Presidency has long been felt by this Government and was represented to the Supreme Government many years ago, and it seems to the Governor in Council that it is very desirable to take advantage of the present opportunity to remedy this defect, and at the same time to place the legal business of the Government on a more satisfactory footing.

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(Signed) R. S. ELLIS,
Chief Secretary.

*High Court House
14 January 1868
My dear Ellis
I have lost no time in
preparing the Memo, as to the
Government Pleader's work called
for in your recent official letter,
and of the 11th instant; and
by the bearer of this letter you
will receive my official letter
forwarding it to you.
In my Memo you will observe
I state the amount of the
part portion of my office
Establishment which is set
apart and detailed for Govern-
ment work, both for every
month. In pursuance of this*

statement I hope I have not
gone beyond what you & me
It does seem to me desirable,
if the question of amalgamating
the Government Collectors and
Government Meade's Offices is
to be submitted to the Government,
that they should be fully informed
not only of the work ^{and expenditures} of the offices
but also of the expenses which
fall upon the incumbents,
with the view of considering
whether some staff of Clerks
should not be allowed to me.
The Advocate General, whose
correspondence and Government
work is not equal to one
fifth of that which I have

6
as Government Solicitor &
Government Meade, to get
through, has a monthly allowance
of Rs. 100 ^{per mensem} and has full
offices. On the other hand
as Government Secretary &
Government Meade, have no
allowance for Establishment,
and I have to pay Rs. 50
a month to the Government
for my office. I have thus
to spend one quarter of my
pay for my office and that
portion of my Establishment
which is devoted to the
Government work alone.

I would submit, with
all respect, and without being

intending in any way to compel
that, having regard to the allow-
ance of the Estate's Agent, and
to the Advocate General, and
and a person may be allowed
from office or that an allow-
ance of £250 per month be ma-
de. The work of the govern-
ment should be and government
should be steadily increasing
and I anticipate that very
soon I shall have had to
send staff of clerks into admin-
istration of government work.
I mention these facts in the
that they may be useful to you
and the government in dealing
with the subject. I remain
Yours sincerely
W. S. Elliot (B. S. Elliot)

Chert Masses.

18th Nov. 67

My dear Mr. B. Elliot.

I heard from Mr. Shorter, who
was at home, that on his vacation
the office of Mr. Phadon, the first year
from the office pending my return,
when the duty was to be taken up again
and the whole matter recommended.

Yesterday I received a reference
regarding me to a Judge in a
filed in the Madras Court of the
for on behalf of the first year
the Government of India. This
appeared to me to be clearly for the
due work, not advocate general.
I have admitted the correctness of
referring such matters to me, the pro-
curator would soon creep in of making the
adv. first in fact standing counsel for
the first in the Madras, without any
pay for his labours. These labours

would be heavy and expensive; so
I submitted that it was not my
duty to advise, rather with the view
of bringing the matter under the
consideration of your Honor with
the intention of deriving to some
useful result the fact above submitted
to me.

My view was that there had
been better than one, and that the office
should be kept distinct. But the
an abrogation of the Court, and
the consolidation of one Court in each
of the old counties and Supreme Court
has made a great change in the
position of affairs, and many incon-
veniences and anomalies may arise
from the Advocate General not being
the law adviser of your Honor in the whole
Presidency. Thus, you will remember,
I said to appear on behalf of prisoners,
until the fact suggested that it was

not expedient that one of their law officers
should appear to defend prisoners, whom
another of their officers was prosecuting.
I at once acquiesced in this view, which
appeared to me to be quite sound; the
cost me a considerable pecuniary loss.
Again, I find when the Advocate General
says that the Board of Revenue did
not happen, they took the advice of the
then acting for me without comment
of it to date. In doing this when
he was most indignant at what he
regarded as discrediting. Many cases
may arise, it is obvious, when in con-
flict may arise, if the present division
of office is perpetuated.

I could not take the fact of the
long handed when the office was first
established and I nominated as the
first incumbent, the duties were very
light, and the pay, which was a mere
allowance fee, was ample. But the

labour of the office has gone on gradually increasing, as was to be expected; but without doubt to some more and more serious. Northman tells me that the correspondence of this last year amounts to some 200 letters. The desk is only a heap of papers, of papers come up from the Hospital makes the labour of reading and arranging very heavy. It is such as I cannot undertake it is such as is far more the duty of an attorney than a Minister to discharge. I think that the present pay of the post-Master is quite inadequate. In both Bengal and Bombay Station the Office is far better paid.

It appears to me that the time has arrived when the whole of the post business should be placed on the same principle, and be transacted by the Adm. post and the post-Master, just as the post expenses &c are considered. This seems to be the natural order of things. The reasons which formerly made the separation of the duties of Adm. post & post-Master desirable no longer

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exist. The duties of the Office may be far more easily carried on by the post-Master being empowered by the post-Master to have a division of labour, than what I have always felt desirable. The benefit of two heads instead of one. The duties of the post-Master which are such that an Extra-Master is absolutely indispensable. I consulted with Northman about asking for an Extra-Master when the Office was first created; but he thought that it was desirable to try first whether he could do without it: and for my own part I had no wish to put the post to any avoidable expense. But things are now altered. Northman tells me that he has had to keep two clerks out of the pay of the office since he has had it. It

is absolutely necessary, that one should
at least should be a man of some
intelligence, and he must therefore be
sufficiently well paid. There is an
office for the post (Procurator) the like
of the post office. Nothing further
head is a good support of the
city. A small establishment would
suffice.

It is a well known fact that he would be going with the friends
of such an arrangement as I propose,
the expense being commensurate for
his additional labors.

The post Procurator receives his pay
in all suits. The Adm. post only
receives payment when they are recovered
in behalf of post. I am no reason why
his practice should not continue. He
would be a more economical person
in his practice. The Adm. post
should not be called on
to proceed up-country to conduct

post cases except on special occasions
when a sitting fee shall be paid him, with
expense to declare in court records.
Such cases can very rarely arise.

A very important question, I think
is the position of criminal cases. This
man who can afford to pay Counsel
generally appears. The Crown is seldom
represented. To call on the Adm. post
or other post officer to appear in all
cases would be to entail on him an
amount of work which he could hardly
perform, in addition to his other
duties. You know what the record
is in criminal cases. At the same
time public justice is at a disad-
vantage from the Prisoner being represented
by counsel, and the Crown not. My
own view has been in favor of
making the Public Prosecutor a far
more important officer than he
is at present. That his functions

should not be improved as at present
the more constant presence at the
High School. Personal supervision further
down of the school, but that he should
specify in person on the whole im-
moral bearing of the teachers.

At the same time I do not think the
parties has in point of fact suffered by
the non-representation of the poor in ap-
peals. Probably the judges have been
trying to run a watch and horse thing
the supreme must often mistake for the
proceedings of the supreme court than
advantage in each case. It is whether
after eliminating all points of doubt
and uncertainty, sufficient does not
remain or substance. I maintain the case
then. It is rather for the case and ap-
peal of the court. That would
appear to represent the danger
need to apprehended. To try other court
action the principle, which would be
present. Cases have occurred in which
the court has required the appeal to be
brought.

to myself.
As to the amount of my L. 2, per

GOVERNMENT TELEGRAPH DEPARTMENT.

OFFICE MONTHLY NO

Filed, the 22 of Dec 1897 at San Jose Words charged 180

[illegible]

FROM W. H. H. H. TO W. H. H. H.

Woods *H. C. Allen* *Keen*

9/86 O. Bengal the following
Scale of Salary and establishment
is recommended for Law Officers.
Advocate General Salary
Three thousand one hundred
thirty five Establishment
Two hundred thirty five

LEAVE BY _____ at _____ hrs. _____ mins. FROM _____
 RETURN BY _____ at _____ hrs. _____ mins. TO _____
 STATION FROM _____ date _____ STATION TO _____ date _____
 _____ Telegraph Office. Book No. _____ Assd. in Charge _____

12
for the new arrangement, I had
taken saying they about it. I
have no doubt that the post will
give a liberal consideration to
this point, and without doubt
nor I wish to mean what
is fair.

John would get the whole of the
business done in any reasonable
time, and much cheaper I
am inclined to think than it
either of the other Presidents.

Yours sincerely

John Russell

Dec 18

13

My dear Webster

I don't see that there would be any legal difficulty in taking the office of Court Pleader and writing its duties to those of the Adv Gen. The only parts of the Civil Procedure Code in which he is referred to are ss. 67 & 70, relating to service of summons upon him in suits to which Government is a party. But at present in suits on the original side of the High Court, service is not made on him but on the Govt Solicitor. While as regards proposed suits service ~~will~~ would still continue as at present.

But on enquiring into the duties & labours of the office, I doubt whether it would be to the advantage of Government to ask those Adv Gen. to undertake the functions of the Government Pleader in addition to his own. And I own that I should be very reluctant to make the attempt. The work as regards its mere result, in the number of opinions given and pleadings drawn, does not appear very heavy. But the labour

of doing it is very great, from the slender body.
and from the fact that the materials are presented
by Nature Pleaders who know nothing of their busi-
ness, and often by the Revenue authorities who
are not fully alive to the legal bearings of their
cases. The Rules of the Civil Procedure Code, which
shut out all documents that have not been
filed when the party first presents his case,
either as plaintiff or defendant, throw an
immense responsibility on the person who is
instructed with the first stage of a case, for if
he overlooks a single document at that stage
his mistake may be beyond remedy. Now I doubt
whether the Adv. Gen. taking into consideration
his present duties as a Government Officer, and
a member of the Legislative Council, and the
large private practice which he always has, and
be able to do the sifting of a considerable mass
of material as successfully as a younger man
who had more time on hand. There is also
another objection that has not at first occurred
to me. The Mofussil Courts are in full ac-
tivity during the vacation of the High Court,

and if the Adv. Gen. were also ~~present~~ ^{present} Pleader
he would practically be deprived of any vacation
unless on the terms of personally taking leave.
This would more than neutralise the advan-
tages of the increased salary.

I have not in the least altered my opinion
that the best plan would be to invite the
offices, if an officer could be found capable
of doing the work of both. But I am afraid
that the system would break down at that
point. In continuing the present system, even
if the Government is forced to select a comparatively
inexperienced successor, his inexperience will
be made up for by his greater leisure, and
where difficult questions of law arise, they can
always be referred to the Adv. Gen. singly or in
consultation with the Joint Pleaders. Per-
haps one advantage of the division of labour
would be, that you would always have an
Adv. Gen. in training.

If you would like to talk over this
with me I can call at your office any

July after 5

Yours Very Sincerely
Wm D Mayne

Very
Sincerely
Wm D Mayne

275
2187-8
562-8

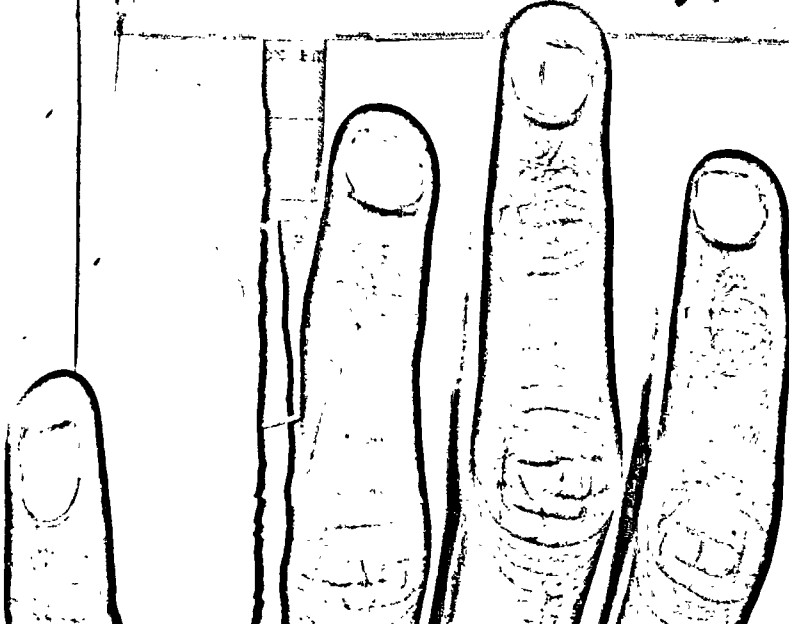
2187-8

The salary of the Advocate
General is \$2187 1/2 per annum

—do— Government
Collects \$1225—do—

My dear Mr. Arthur

I have sent off the
telegrams. I will send
the answers as soon as
received. The above is
an answer to y. Mr. Green
per Mr
Preston



GOVERNMENT TELEGRAPH DEPARTMENT.

OFFICE MONTHLY NO. *15/121*

Recd. the *19 Dec* 1867 at *1867* hrs.

Words charged Rs. *15*

From *Bombay* To *Madras*

From *Official Secretary* To *Chief Secretary*

Words

62 8/10

Two officers at Bombay paid by Government Advocates general & members of legal affairs, government solicitor and public prosecutor government pleader & their salaries which include office establishments are respectively two thousand four hundred, five hundred, two thousand five hundred, and three hundred, government pleader receive in addition Rs. 100 in criminal cases in the high court appellate

Sender's Signature

Sender's Address

Recd. at *19 Dec* at *1867* hrs.

FORWD BY *Indian branch* at *1867* hrs. To *Madras*

STATION FROM *Madras* STATION TO *Madras*

Telegraph Office. Post Book *7* Rs. in Charge

GOVERNMENT TELEGRAPH DEPARTMENT.

OFFICE MONTHLY NO. 19 165
Words charged Rs. As. 7

Recd. the _____ of _____ 186 _____ at _____ hrs.

From _____ To _____

From _____ To _____

Words *Standing Council Salaries*
one thousand three hundred
thirty three Government
Salaries Salary two thousand
additional allowances, fifty
establishment and three
allowed to practice.
Administrators General paid
by Rs. Superintendent and
Sub-branches of Legal Affairs
Salary two thousand five hundred

RECD. BY _____ at _____ hrs. _____ mins. From _____

FORWD BY _____ at _____ hrs. _____ mins. To _____

STATION FROM _____ date _____ STATION TO _____ date _____

Telegraph Office. Deon Book No. _____ Assist. in Charge.

GOVERNMENT TELEGRAPH DEPARTMENT.

OFFICE MONTHLY NO. *19/65*

Recd. the _____ of _____ 186_____ at _____ hrs.

Words charged _____ Rs. _____ As. _____

FROM _____ To _____

FROM _____ To _____

Words

*Establishment Seven hundred
Eighty five. No fees allowed.
Two Government pleaders
at three hundred each.
Allowed to practise -*

26th 2-2 pms

Sender's
Signature

Sender's
Address

RECD. BY _____ at _____ hrs. _____ mins. FROM _____

FORWD BY _____ at _____ hrs. _____ mins. TO _____

STATION FROM _____ date _____ STATION TO _____

Telegraph Office. Peon Book No. *21*

Assist. in Charge.

of 4
13

Memorandum

When Mr. Dale vacated
the appointment of Govt.
Pleader in April last
it was decided that a
temporary arrangement
should be made for
the performance of the
duties of the office, and
that on the return of
the Advocate General
who was then absent
on leave it should be
ascertained whether
Mr. Norton would be
willing to undertake
the office in addition
to that of Advocate General.
Mr. Norton, with whom
I have been in commu-
nication on the subject,
has suggested to me
the

the expediency of adding
the duties now performed
by the Govt. Pleader
to those of the Advocate
General and Govt. Solicitor,
granting a suitable
addition to the salaries
of each of these officers.
By this arrangement the
whole of the legal business
of the Govt. whether in the
Provinces or in the Presi-
dency Town would be
put upon the same
footing. In both classes
of business the papers
would in the first
instance be prepared
by the Govt. Solicitor
and would by him be
submitted to the Advocate
General for his opinion,
and the Govt. would
have the great advantage
of obtaining for the
whole of their legal business
the

70 5
the aid of the two men
who are presumably
the ablest men in their
respective branches of
the profession. It happens
not unfrequently that
the Govt. business which
comes before the Courts
in the Provinces is of
considerable importance
whether with reference to
the amount in litigation
or to the principles in-
volved, and it is
obviously very desirable
that in such cases
the Govt. should be able
to avail itself of the
best legal advice pro-
curable. It cannot be
said that this is the
case under the present
system.

I recommend that
an application be
made to the Govt. of
India

and in addition the
arrangement suggested
by Mr. Norton. The
salaries at present
assigned to the three
officers are as follows.

Advocate General. ———	Rs 2187. 8. "
Establishment of — do ———	115. " "
Govt. Solicitor ———	1225. " "
Govt. Pleader. ———	500. " "
Total.	4027. 8. "

The Govt. Pleader also
receives fees in cases in
which he is required
to appear.

If the separate
office of Govt. Pleader
be abolished and its
duties divided between
the Advocate General
and the Govt. Solicitor,
I would raise the salary
of the Advocate General
to Rs 2750 per mensem
and that of the Govt.
Solicitor to Rs 1500 per
mensem.

mensm. The increase
of charge would be
Rs 337. 8 per mensem.
I understand that the
Govt. Pleader has at
present no office esta-
blishment and that the
present incumbent is
obliged to pay two clerks
out of his present very
inadequate salary. The
sum of Rs 100 should
be granted for this pur-
pose making a total
increase of Rs 437. 8
per mensem.

It will be seen from
the annexed statement of
the salaries of the Law
Officers attached to the
High Courts at Calcutta
& Bombay that if the
arrangement which I
now suggest be sanc-
tioned the cost of the
Govt. Law Officers at
Madras will be less
than

than that of the Law
 Officers employed at Bombay
 by Rs 740 per annum
 and less than the
 aggregate of the salaries
 of the corresponding officers
 at Calcutta by Rs 671
 per annum. The inade-
 quacy of the salary
 attached to the office of
 Govt Pleader has long
 been felt and was re-
 presented to the Supreme
 Court many years ago.
 It is very desirable that
 a remedy should be
 applied without fur-
 ther delay. A copy of
 Memorandum on the
 status of the Govt Pleader
 is annexed.

W. J. [Signature]
 17th July 1888.

I much agree in this Report
 referred to the Sub Comtee - our
 present arrangements are
 anomalous and have occasioned
 been detrimental to the
 interests of the Govt.
 18. July 1888. W. J.

[Signature]
 Agent

Calcutta.	
Advocate General -	3100
Office Estab of do. -	313
Standing Counsel -	1333
Govt. Solicitor -	2050
Establishment -	1000
Trusts & Revenue branch of Legal affairs -	2500
Estab of do -	785
Two Govt Pleaders at Rs 300 ea -	600
	<u>11681</u>

Bombay.	
Adv. Genl. -	2400
Revenue branch of Legal Af. - pair -	500
Govt Solr & Public Prosecutor.	2500
Govt Pleader -	300
	<u>5700</u>

Madras.	
Present Salaries	Proposed Salaries
Adv. Genl. -	2107 8
Estab. do. -	115
Govt Solr. } 1225	Govt Solr. } 1500
Govt Pleader } 500	Govt Pleader } 100
Public Prosecutor. 500	Public Prosecutor do - 500
	<u>4827</u>
	<u>4965</u>

3.3.44.V

Ind. 1858 Rep.

Exempted from the
A. J. Robertson

Pro: 16 March 18.

17 February 1858

No 625

Regarding dividing
the duties of Govt Pleader
between the Advocate
General & Govt Solicitor

C 21 Feb
A. J. Robertson
C 11 -
P. 13

1856

Madras, January 11. 1860.

Mr H. A. Brockman, Off. Govt Pleader, Madras

To the Honorable R. S. Ellis. C. S.

Chief Secretary to Government, Madras.

Sir,

In compliance with your request I
have the honor to send for the information
of Government, a Memorandum showing
the nature and extent of the work of my
Office of Government Pleader derived from
the records of the past year, including
therein the amount of work done since
the commencement of the present year,
thus bringing the Memorandum up to date.
I have the honor to be,

Sir,

Your Most Obedt Servant

H. Brockman

Off. Govt Pleader

Memorandum

During the year 1867, the Government
pleader
Prepared two petitions of appeal to Her
Majesty in Council, in matters in which
Government are interested, and advised
the Right Honorable the Secretary of
State at full length thereon.

Appeared on behalf of Government on the
hearing of some appeals before the
Appellate High Court at Madras,
having prepared such appeals as
were necessary.

Appeared also with the Advocate General
before the Appellate High Court on
the argument as to the liability of
Government of Madras to and
applications, to the increase of Stamp
Duty under the Amended Stamp Act
XXIV. of 1867.

Received 213 Letters and Proceedings, consisting
chiefly of references from the Board of
Revenue, the Court of Munsifs, Collectors
and other officers of Government in the
Madras, and advised upon all such
references, the number of letters written
being 166, exclusive of some official
notes, of which no entry is kept.

10/5/82

10/5/82
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10/5/82
10/5/82

Office of below and the many bleedings in
 I wish in the Provisal Com. to bring
 back some references, in which some
 men were either parties, or in the
 conf. advising as to the conduct of the
 work in this & several other
 places. In the Provisal Com. I regret
 in the Provisal

Wie die 3^{te} Commission steht, the-
ilnehmend. Weiter das

Reviewing the official letters and documents,
the French reference being in relation
to a money-bill now pending in the
House of Representatives, in which
the common law is extended and the
subject of the bill is the recovery of an
claim in the Treasury, since made
in 1860 of the same profits; and
another reference being in relation to
an appeal to the High Court on behalf
of the Government.

of the Government.
 To have the Special Agent to the High
 Commissionery of the United States
 written upon Official and Domestic Affairs
 letters.

In addition to the classes of work above
admitted to, the Government Reader
will be shown in the hearing of all
criminal appeals before the Appellate
High Court, in which he may be required

by the Court to appear in Subpoena of
Compulsion.

To enable him to carry on the work of the Office of Government Reader, and the very heavy work of the Office of Government Solicitor, Mr. Brookman has employed a special establishment of Clerks, whose whole time and attention are devoted to the Government work, and whose salaries amount to Rs. 175 per month. To this sum have to be added the wages of peons and sweepers amounting to Rs. 25 per month. Stationery is also required for the use of the Office of Government Reader. The High Court having lately declined to continue the supply to the Government Reader, of the Stationery which that Court and the Sudder Court before it used to furnish.

The Government Solicitor's Salary is: Rs. 1225, subject to a deduction of Rs. 50 for office rent; and the Government Readers pay is Rs. 500, making together Rs. 1675, from which deducting the above mentioned sum of Rs. 175, and Rs. 25, leaves a net sum of Rs. 1275, which last mentioned sum is only Rs. 50 more than the proper salary of the Government Solicitor, without deductions.

27
The Special Establishment above mentioned
has been found absolutely necessary
for the efficient management of the enormous
duties of the Offices of Government Auditor
and Government Pleader.

The Government Pleader is paid his
regular fees in Regular and Special Appeals
before the High Court in which he appears,
for Collectors and other Government
Officials in the District, by them, but
the whole of the fees received by him
during the past year, do not exceed Rs.
Rupees.

A. M. Brockman

Witness
14th January 1868

dup 18/3

1
J. P. Department

No. 459.

To

The Secretary to the Government
of India,
Home Department

As there is no point
being about the matter
the letter had better not be
disputed until after
the former's return to
the Ministry. *W. A.*

Sir,

I am desired by the
Governor in Council to state,
for the information of the Govt.
of India, that when Mr. Dale
vacated the appointment of
Govt. Pleader, a temporary
arrangement only was made
for the performance of the duties
of the office, with a view to
submitting for the sanction of
the Governor General in Council,
an arrangement which will,
it is believed, prove of advan-
-tage in conducting the legal
business of the Govt.

2 - It is proposed to add
the duties now performed by the
Govt. Pleader to those of the Ad-
-vocate General and Govt. Solicitor

W. A.

W. A.
G. A.

Memorandum

Concerning the duties now
performed by the Govt. Pleader
in the office of the Secretary to the
Government of India.

Submitted 18/3/80.

Enclosure in letter of 18/3/80
to the Secretary to the Government of India
from the Secretary to the Government of India
No. 459

By this arrangement, the whole of the legal business of the Govt. whether in the President's or in the provinces would be on the same footing; the papers being prepared by the Govt. Solicitor and submitted by him to the Advocate General.

3. - Much of the business of the Govt. which comes before the Courts in the Provinces, is important both from the amount litigated and the principles involved. And it is therefore extremely desirable that the Govt. should have the aid of the two men who are ~~presumably~~ ^{presumably} the ablest in their respective branches of profession -

4. - The salaries at present assigned to these officers are as follows.

Advocate.

1789
Advocate General Rs. 2187. 8--
Establishment - do - " 115 - " -
Govt. Solicitor - " 1225 - " -
Govt. Pleader - " 500 - " -
Total Rs. 4027 - 8--

5. The Government Pleader also receives fees in cases in which he is required to appear.

6. If the separate office of the Government Pleader be abolished and its duties divided between the Advocate General and the Govt. Solicitor, the Governor in Council would propose to raise the salary of the Advocate General to Rs. 2750 per annum and that of the Government Solicitor to Rs. 1500 per annum. Having in view also the great increase in the business of the Govt. Pleader it is proposed to allow him an office establishment of 100 Rs. per annum - thus making

making the entire increase of
charge involved in the new
proposal Rs. 437. 8 per
mensem.

7 ~~Illustrations~~ ~~shows~~
shows that from the Re-
ment annexed, it will be
perceived that even with
the additional charge pro-
posed, the cost of the
Law Officers of this Govt
is less by Rs. 740 than
that of the Law Officers
at Bombay and less than
the salaries of the corres-
ponding offices at Calcutta
by Rs. 6721 per mensem.

The inadequacy of the salary
as was assigned to the
Govt. Pleader at this
Presidency has long been
felt by this Govt and
was represented to the
Supreme Govt many
years ago and it seems
to the Governor in Council that
it will be very desirable
to

to take advantage of the
present opportunity, remedy
this defect and at the
same time place the
Govt on a more satis-
-factory footing.

W. St. George
16 March 1868

26.0.33.12

Feb 1868. Department

No. 459.

To

The Secretary to the
Government of India

Public Department.

From 28 June 1868. 1209
1868.

Dated 16 March 1868.

4.12.90

Submitting for
sanction of the
Govt. the proposal
to send the children
performed by the Govt
Master, Madras, to the
the Adversarial School
and send them to

1900/192.

21.5.12
21.10.12
C. H.
21.12.12