

- (1) பக்கங்களின் எண்ணிக்கை 12
 (2) புதுக்கித் திருப்பிய நாள் Sept. 88
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் [Signature]

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Revenue துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	<u>122</u>	அச்சகம் பலவகை
நாள் :	<u>18.1.1879</u>	<u>198</u>

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

18th January 1879, No. 122.

Read the following paper :—

No. 311. Endorsement of the Chief Secretary to Government, dated 1st December 1877, No. 2,234.

Read the following letter from L. C. PROBYN, Esq., Accountant-General, Madras, to the Hon. D. F. CARMICHAEL, Chief Secretary to Government, dated Fort St. George, 15th November 1877, No. 955.

With reference to Proceedings of Government, No. 3,232, dated 10th November 1877, Revenue Department, and in continuation of this office letter No. 885, dated the 31st ultimo, I have the honor to request that His Grace the Governor in Council may be moved to ask the Government of India to lay down some definite rules regarding the payment of Barristers-at-Law, other than the Government Pleader, for conducting Civil Suits on behalf of Government.

I have also to inquire in respect to the sanction of Rs. 1,000 to Mr. Prichard, in the Salem case, whether any deduction should be made in the fee, if Barrister's fees were allowed by the Court, as it appears that the judgment was in favor of Government.

TRANSFERRED to the Revenue Department.

(Signed) D. F. CARMICHAEL,
Chief Secretary to Government.

No. 312. ORDER THEREON, 18th January 1879, No. 122.

Miscellaneous.

It is observed that the Accountant-General's letter, No. 885, dated 31st October 1877, was disposed of by G.O., Judicial, No. 2,855, of 4th December following. The question on that reference was the amount of the Government Pleader's fees, when that officer is directed to proceed to any station in the Mofussil, on behalf of the Crown in cases Civil or Criminal.

2. In the prosecution of such cases three courses are open to the Government:—

First, and this is always done in cases of the ordinary kind, to employ one of the local Pleaders; whose fee in criminal cases varies from a minimum of 25 to a maximum of 50 Rs., enhanceable only with the express sanction of Government; while in civil cases his remuneration consists of the fees awarded, except that when these are insignificant in comparison with the labor and skill displayed, a suitable addition is made by special order of Government.

Secondly.—They may send up the Government Pleader, with a fee of Rs. 175 a day, besides travelling expenses.

Thirdly.—Where the matter is beyond the skill of a District Pleader but not sufficiently important to demand that the expensive course of sending up the Government Pleader should be adopted, a local Barrister may be selected by the Collector with the approval of Government. No definite rule can be laid down for remuneration in such exceptional cases. The fee however is of course much under the cost of employing the Government Pleader; *ex. gra.* Mr. Pritchard here received 1,000-Rs.; the Government Pleader's fee would have been 1,400 Rs. *plus* his travelling to the Shevaroy Hills and back, *plus* the fees awarded by the Court, the retention of which is a privilege attached to his office; whereas, as the case stood, they were recovered for Government, Mr. Pritchard receiving the single honorarium only.

(True Extract.)

(Signed) H. S. THOMAS,
Acting Secretary to Government.

To the Accountant-General.
„ the Judicial Department.

Exd. W. H. French.

2/122

Audit DEPARTMENT.

No. 955

Fort Saint George,
Accountant General's Office,
15th November 1877.

FROM THE ACCOUNTANT GENERAL
TO THE GOVERNMENT OF MADRAS,

To THE *Chief Secretary to Government*

Sir,
With reference to Proceedings of Govern-
ment No. 3232 dated 10th November 1877 Revenue
Department and in continuation of this office letter
No. 335 dated the 31st ultimo I have the honor to
request that His Grace the Governor in Council may
be moved to ask the Government of India to lay
down some definite rules regarding the payment
of Barristers at Law, other than the Government
Reader, for conducting Civil suits on behalf of
Government.

I have also to enquire in respect to the
sanction of Rs. 1000 to Mr. Trichard in the Salem
case, whether any deduction should be made in the
fee if Barristers' fees were allowed by the Court,
as it appears that the judgment was in favor of
Government.

I have the honor to be

Sir

Yours obedient servant

A. P. S. S.
Accountant General

Comptroller

Original
Cost. of (1879) *20000*
REVENUE.

THE ACCOUNTANT GENERAL,

Dated January 1881.

Printed 25th.

Recd.

G.O., 15th January 1879, No. 122.

JANUARY.
Nos. 311-312.

*Revenue's Fee for conducting Civil Suits on
behalf of Government.—According to observations
on letter from the Accountant General on the
subject of laying down rules for the payment of
— and indicating the cases open to Govern-
ment in the prosecution of cases on behalf of the
Crown, civil as well as criminal.*

Rev. Secy.

A/122

18th Nov 1877
No. 965
From
The Accountant General, Madras,
ACCTY. GENL. OFFICE, MADRAS.

To the Chief Secretary
to the Government
Dated 15th November 1877
Recd. 15th
Ans'd.

Subject.

Request that the figures
the Government are now all on
the account of India to lay down
the payments of the
at least for the last year
and in power of your
= amount.

Transferred to the Revenue Office
to the Revenue Department
13th Nov 34

Proceedings of the Madras Government.
Under date the

No 122

Say as follows

It is observed that the Act
Gent's letter No 885- dt 3/10/77
has been disposed of by G.O. Judicial
No 2855 of 6/12/77
The question on that reference was
the amount of the Govt Pleader's fees,
when that officer is directed to proceed
to any station in the District, on
behalf of the Govt in cases Civil or
Criminal.

2/ In the prosecution of such cases
three courses are open to the Govt -
First, and this is always done in cases
of the ordinary kind, to employ one of
the local Pleaders; whose fee in criminal
cases varies from a minimum of 25
to a maximum of 50 Rs., enhanced
only with the sanction of Govt;
while in civil cases his remuneration
consists of the fees awarded, except that
when there are insignificant incon-
-venience with the labor & skill displayed,
a suitable addition is made by special
order of Govt.
Secondly - They may send up the Govt Pleader
into a fee of Rs 175 a day, besides travelling
expenses.

Thirdly - where the matter is beyond the skill
of a District Pleader but not sufficiently
important to demand that the expense
of sending up the Govt Pleader should be
admitted, a local Barrister may be selected by
the Collr with the approval of Govt. - No definite
rule can be laid down for remuneration in
such exceptional cases. The fee however is
of course much under the cost of employing

Read the following
Endorsement of the Chief
Secy to Government dated 1st
Dec 1877 transferring letter from
the Accountant General request-
ing to ask the Govt of India
to lay down some definite
rules for the payment of Plea-
ders-at-law for conducting
civil suits in favor of Govt.

His Grace the Governor
in Council is unable to see
how any rules can be laid
down suitable to all cases.

4 In Govt Pleader - 22 p.m. at P. & C. Secy
here received 1000 Rs; the Govt Pleader's fee
for his services 1400 Rs plus his travelling & the
Barrister's fees & costs, plus the fees awarded by
the Collr, the return of which is a privilege

B 10 Nov/77 No 108-109.

Procs dt 18th Jan/79
Revenue 1877 Departs
No 5016

From
Chief Secy

Dated 1st Dec 1877
Rec 2/3 } Despatch
No 2234

On 12th Jan 1879
Transferring letter
from Accountant General
requesting that His Grace
the Governor in Council
may be moved to ask the
Govt of India to lay down
some definite rules for the
payment of Barristers-at-
law for conducting civil
suits in favor of Government.

B No 311

C 28 Nov/78 R. 10: Dec/78

90

Rule for pay of Bar
nister fees for Civil
Suits in each of
years

No 50/8

Reverend

Pros of 18th Jan'y/74

B No 3/2

No 2241
O. M.

To the Hon. Salern.

Please state amount of
costs awarded agt. Peff
in O. S. No 8 of '76 in file
of 85 & in sub C. C. - vide
Purs. Ord of Dec 5-11-77
No 4925; and in relation they
have been reversed & cannot
be reversed of 80.

W. H. 8/12/76

10 Dec 1878

To the Hon. Salern. Dec 10

211-216

c. 25 Dec 78 R. 10 Dec 78