M.R.O. 14 - 5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2874 Press ~~Mis.~~

39-40

Dated 3 — 12 — 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 3rd December 1867.

No. 39. Read the following Proceedings of the Board of Revenue, dated 22nd November 1867, No. 7,611.

Read the following letter from the Officiating Government Pleader, to the Secretary to the Board of Revenue, dated High Court House, Madras, 19th November 1867, No. 146:—

1. In pursuance of the direction contained in the Proceedings of the Board, under date the 2nd November instant, passed upon the Order of Government noted in the margin, I laid before the Advocate General Proceedings of the Board and of the Government, on the subject of the suit which the Collector of Madura proposes to file against the lessee of the Ammayanaiknur estate, for damages arising from the bursting of the Tanichiam tank, with the view of conferring with him thereon.

Dated 25th October 1867, No. 2,516, Revenue Department.

2. The Advocate General has submitted that it is no part of his duty, as Advocate General, to advise in the matter. I enclose a copy of his remarks for the instructions of the Board thereupon.

OPINION.

I respectfully submit that it forms no part of my duties, as Advocate General, to advise on any litigation which may be necessary on behalf of the Government in the Mofussil. The office of Government Pleader was expressly instituted for this object. The work of my office will be very heavily increased, if the practice hitherto observed, of confiding the conduct of Mofussil business to the Government Pleader, be departed from.

(Signed) J. B. NORTON,
Advocate General.

18*th November* 1867.

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1. Submitted for the orders of Government.

2. The Board are strongly of opinion that on the important question involved in the suit under reference, it is highly desirable to have the advice of both the Law Officers of Government.

No. 40. ORDER THEREON, 3rd December 1867, No. 2,874.

Irrigation, No. 1.

The Board of Revenue are authorized to obtain the advice of the Honorable J. B. Norton on the important case in question, as an independant Counsel, paying him the usual fee.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Accountant General.
,, the Government Pleader.

Exd. S. T. Augustin.

5012—505
25—10.67

2E

Revd Department.

No. 3226

~~From~~ Proceedings of the Board of Revenue

Dated 22d November 1867.

FOR ORDERS.

The trial of the Civil murders
would be of extreme importance. I
should be glad to see the opinion
of the Advocate-General taken, as proposed
by the Rev. Secy. - & would support the
adoption of that course

N. Elliot

I think for Norton to print

This is in reply to a letter from
J. W. Brookbanks. Esq.

High Court Hotel
2nd November 1867

My dear Mr Brookbanks

Mr Foster would have no objection to the "Annoyance Suit" on his being requested so to do & said he would as an ordinary Common Law action given by him as Admiralty Counsel of course do for costs be expected by him. All he meant however was that he did not feel himself bound to act gratuitously in matters not strictly before him as Admiralty Counsel.

Before writing my official letter to the Secretary of the

just signed in reference to proposed Statute which has been agreed upon at the Common Council Chamber to limit ownership of Ships in case of loss &c. Should the Admiralty Court Judge & Law Officers with a proportionate number of Solicitors in Court case -

Sgd A

Revenue Board have demi-officially drawn Dalgell to the above effect. In his demi-official answer to me he suggested that I should write an official on the subject to the Board and let him pay a fee to Norton in the matter as the Board is of Government. Therefore I enclose herewith Dalgell's official letter of the 19th enclosing a copy of Norton's remarks.

Yours very truly

H. Sudleston Esq.
Secretary to the
Revenue Department.

18th November 1867.

(Signed) J. B. NORTON,
Advocate General.

(True Copy.)

(Signed) H. J. BROCKMAN,
Officiating Government Pleader.

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1. Submitted for the orders of Government.

2. The Board are strongly of opinion that on the important question involved in the Suit under reference, it is highly desirable to have the advice of both the Law Officers of Government.

(True Copies and Extract.)

H Dalgell
Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Government Pleader.

Exd. J. Wright.

Ref. from Govt. by Revenue.

Mr. Brockman's letter to Govt. & Mr. Norton's opinion & Govt. Order thereon returned.

x for[s] Law Officers Lr sent to Sir[s] requesting the for[s] Sec[y] to confer with the Adv[te] Gen. in the Thaddeus case. The case is however a very important one & I think it right the Sir[s] that it is desirable the for[s] Sec[y] have the best opinions. I am to[o] ill myself to be forgiving Mr. Norton his fee as counsel in Defendant's behalf -

Orders are requested. J.K.
27. Nov[r] 69.

In Norton's separate paper.

No. 2874.

The Bd. of Ed. are desirous to obtain the advice of the Hon. J.B. Norton as to the proper Case & Question - as to an Independent Counsel charging him two guineas fee.

14 For the Board of Education
1 Copy Enclosed
3 — For[t] Sec[y]

J.K.
3[d] December 69.