Government of Madras.

EDUCATIONAL DEPARTMENT.

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1916.

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G.O. No. 1424, 14th December 1915.

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.	1916.	*Enclosures*
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G.O. No. 1424, 14th December 1915.

Law College.

Addressing the Government of India on the subject of the re-organization of the staff of the Madras —.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

Read—the following papers :—

I

Letter—from the Hon'ble Sir Alfred Gibbs Bourne, D.Sc., F.R.S., K.C.I.E., Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 9th May 1913.
No.—Ref. on Cur. 2225.

I have the honour to submit, for the approval of Government and favour of publication in the *Fort St. George Gazette*, the accompanying draft revised rules for the constitution and working of the Law College, Madras, the revision being necessitated by the scheme of reorganization sanctioned in G.O. No. 224, Educational, dated 15th March 1913. Opportunity has also been taken to introduce certain other changes in the rules which are considered necessary. The salient features of the revision are explained below :—

Rule 8.—A new sub-rule (*b*) has been inserted. It is obviously desirable that the Council should meet at least once a year.

Rule 10.—The existing rule 11 is incorporated in this rule.

Rule 13.—The High Court Pleadership examination is now only of one grade, the second having been abolished.

Rule 16.—The college attracts a considerable number of middle-aged men who have been previously employed and for one reason or another desire to enter the college with a view to qualify themselves as pleaders. The Principal states that it is not very rare that dismissed Government servants send in applications calling themselves landholders and that in the case of a person who has left a college 20 years prior to his application for admission into the Law College a transfer certificate is of very little value.

Rule 27.—It is considered desirable that scholarships should be paid in the middle of a term as the money is usually laid out by the students in the purchase of books.

Rule 29.—It is desirable that the scholarship-holders should execute a bond similar to that enforced in the case of post-graduate students under the Government scholarship notification. Existing rule 19 is, therefore, unnecessary.

Rule 31.—The Principal states that the common idea among law students is that, if they put in three-fourths of their attendance, they are entitled as a matter of right to the term certificate and that many of them regard attendance at the class examinations as not necessary. He considers that the importance of class examinations ought to be recognized and I agree in his opinion.

Rule 34.—In this rule the addition of the words "Progress and conduct" is made so as to bring it into agreement with the University Regulation 390 (2).

2. In this connection, I beg to submit that the Law College Council has submitted to Government through me a resolution to the effect that the general management of the college including the making of appointments should be vested in the Council subject to the control of Government and that the Council should be independent of the Director of Public Instruction. As I am not aware of the reasons which have led the Council to adopt the resolution, I have made a reference to the Council in the matter to enable me to submit the resolution to Government with my remarks later.

II

Official Memorandum No. 1573-1/13, Educational, dated 6th May 1914.

The Director of Public Instruction is requested to refer the scheme of reorganization of the Law College detailed in G.O. No. 224, Educational, dated 15th March 1913 and the draft revised rules based thereon submitted with the Director's letter R.C. No. 2225/13, dated 9th May 1913, to the Principal of the Law College for consideration and remarks to be submitted by the end of June next. Mr. Davies should also be requested to offer his views on the following alternative draft of rule 11 :—

"The Principal shall deliver not less than twelve lectures each week. The "professors shall deliver four lectures a week. The assistant professors will be "required to devote five hours a week to lectures and tutorial classes. The dis- "tribution of work for each term, etc., ... preceding term, provided, "however, that the hours of work are so arranged as not to interfere with the "court work of the professors and the assistant professors."

W. Francis,
Secretary to Government.

To the Director of Public Instruction.

III

Letter—from the Hon'ble Mr. J. H. Stone, M.A., F.R.H.S., C.I.E., Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 6th November 1914.
No.—Ref. on Cur. 2225/13.

With reference to Government Memorandum No. 1573/13-1, dated 6th May last, calling on me to refer the scheme for the reorganization of the Law College, Madras, detailed in G.O. No. 224, Educational, dated 15th March 1913, and the draft revised rules based thereon forming an enclosure to Sir Alfred Bourne's letter R.C. No. 2225/13, dated 9th May 1913, to the Principal of the above institution for consideration and remarks, I have the honour to submit herewith copy of a letter, dated 8th June 1914, from Mr. Davies together with a summary of the alterations proposed by him and to suggest that the opinion of the College Council may be invited thereon by Government. I shall, if desired, subsequently express my own views.

Enclosure.

Letter—from A. Davies, Esq., M.A., Bar.-at-Law, Principal, Law College, Madras.
To—the Director of Public Instruction.
Dated—the 8th June 1914.

I am asked by your Proceedings Ref. on C. No. 2225/13, dated 14th May 1914, to submit my remarks on the draft rules for the working of this college as revised by your office in view of G.O. No. 224, Educational, dated 15th March 1913. Before I do so, I hope I may be allowed to suggest that in my opinion certain modifications of the broad principles laid down in the above Government Order seem to me to be extremely desirable and even absolutely necessary.

I fear this letter will have to be a long one in any case, and I do not wish to make it longer by lengthy quotations, but it is necessary to draw attention as briefly as possible to the previous history of the college. There can be no doubt that the primary aim with which the college was founded was the promotion of the scientific study of law. A reference to G.O. No. 634, Educational, dated 7th November 1888, paragraph 4, will make this abundantly clear. Hitherto, this object has been steadily and consistently pursued. As a single instance I may point to the fact that the University has, since the foundation of the college, given greater prominence to such subjects as Jurisprudence and Roman Law while highly technical and practical subjects such as Procedure and Limitation which were once required for the B.L. examination are now no longer in the curriculum. I think that I am right in assuming that there is no desire upon the part of any one to alter this ideal. At any rate I can find nothing on record to suggest the contrary. The problem of the Law College is, therefore, I believe, not in any way one of curriculum or purpose but simply one as to how the best men can be secured for its teaching staff.

It is felt—and I think here again there is unanimity—that the prospects of a Law College professor are unfortunately not good enough as a rule to attract the majority of the ablest men as long as it is a condition of their service that they should not "practise". From 1902 to 1907 the college had two whole-time officers and two part-time assistants. But in the middle of 1907 the Junior Professor was given liberty to practise. From this time onward the Principal was for considerable periods absent on leave, and there seems to have been some dislocation in consequence of the college work. In these circumstances we find—and I think we may take this as the best starting point from which to trace the present position—that Mr. Nelson wrote to the Director of Public Instruction Dis. No. 4, dated 16th January 1910, in which, relying on paragraph 4 of the first enclosure in G.O. No. 447, dated 12th August 1901—where it is stated that the college should be a "whole-time" one with "a permanent teaching staff"—he proposed that the two assistant professors should be made "whole-time" men. This proposal was referred to the Law College Council for opinion and their views are to be found in a letter by Mr. Nelson to the Director No. 99, dated 28th April 1910. The Council expressed their opinion that practising lawyers could not satisfactorily discharge the duties of assistant professors in a college, the working hours of which were practically identical with those of the High Court, and agreed generally with Mr. Nelson's proposal. However, the Government of India refused to appoint whole-time men, and by G.O. No. 519, dated 31st July 1911 (confidential) the Director was requested in consultation with the Principal and Council of the College to reconsider "the whole position of the Law College" "the main point" being "what changes in the system of management are expedient". The Government order states that a "full-time Principal must continue", but Government express their readiness to consider any changes in regard to the subordinate staff and suggest tentatively (*a*) that half-time professors should be appointed with salaries sufficient to secure the services of men of distinction in the legal profession, (*b*) that the hours for the half-time professors should be outside those at which the courts are usually open and (*c*) that the continuance of the system of appointing assistant professors for tutorial instruction should be considered. The views of the Law College Council are to be found in Mr. Nelson's letter to the Director No. 60, dated 19th February 1912. They recommended the addition to the existing staff of one professor on Rs. 650 per mensem and two assistant professors on Rs. 350 per mensem, all to be permitted to practise on condition that such practise in no way interferes with the discharge of their duties in the college, where the existing hours of work, viz., between 10 A.M. and 4 P.M. should be retained. In his letter Mr. Nelson emphasizes this last point, viz., the importance of retaining the present college hours. Subsequently, Mr. Nelson was asked by Proceedings of the Director No. 54/11, dated 20th March 1912, whether his views coincided with those of the Council and certain other questions. In his reply to the Director No. 99, dated 2nd April 1912, he answers those questions and expresses his general concurrence with the Council except as regards salaries where his suggestions are that the pay of the Professors should be Rs. 650 and Rs. 500 respectively, and that of the assistants Rs. 300 each.

(I would desire in passing to note that he insists on the need for tutorial classes being limited to 25 or 30 students—a fact, which in ignorance that I had his support I have also urged both in my confidential letter to you dated 18th March 1914 and in my annual report on the working of the Law College for the year 1913–14.)

I do not know whether there was any further correspondence of importance on this subject between the Principal or the Law College Council on the one hand and the Director or Government on the other. At any rate we may come next to G.O. No. 224, Educational, dated 15th March 1913. I trust I shall not appear impertinent in criticizing certain of the principles there laid down I feel that it is my duty as Principal of the College, responsible for its efficient working, to point out with all due respect and submission that in certain respects the scheme set out in that Government order appears to me quite unworkable and in certain other respects difficult and undesirable.

I may say at once that with what I take to be its fundamental idea, viz., that the college should be staffed by practising lawyers—the best that can be obtained for the salaries available, I am in tardy agreement. In present Indian conditions this course seems to be necessary, however one may pine for such changes as would make possible lecturers of the stamp of Anson or Pollock or Dicey or Maitland, none of whom could be said to be in daily touch with their profession. My criticisms fall under two main heads: (1) with regard to the proposed hours of work and (2) with regard to the qualifications of the Professors and Assistant Professors.

Hours of work.—I have already pointed out that the hours now suggested were definitely suggested to the College Council in G.O. No. 519, dated 31st July 1911, and that at their meeting in February 1912 they expressly refused to accept this suggestion. Mr. Nelson in his letter No. 60, dated 19th February 1912, refers to certain passages in G.O. No. 538, Educational, dated 26th October 1900 and G.O. No. 447, Educational, dated 12th August 1901, which I have not got before me, but I imagine that there are to be found in those passages the reasons which induced Government to give up the previously existing system of evening classes and adopt that of a college working in the day. I propose therefore to set out the reasons which occur to my unaided mind against the proposed partial return to the older plan. For the sake of brevity I shall jot them down without elaboration.

Work from 5 to 7 is bad for the students: they are hours when the brain is least active and most easily fatigued. A great part of the second hour's work at least will be under artificial light. The only time that healthy exercise and recreation can be taken will be robbed from the students, and the athletic life of the college will cease entirely. It will be impossible for students or Professors to attend any of the public functions or popular lectures which are usually and naturally arranged for these hours. Students will have no chance of consulting their professors privately as *ex hypothesi* the latter will only come to the college at 5 and both will want to hurry off immediately after 7 to get to their homes. Many of the students—living as they do, in Saidapet or Mylapore—will not get home till 8-30. Means of conveyance—whether by train, tram or jutka—which are plentiful enough during the day time are not easily available for large numbers at 7 P.M.

Then there is the problem of how the day is to be spent between 11 and 5. There will be, say, one lecture for each class from 11 to 12 or 4 to 5 by the Principal. What is to be done for the rest of the time? Students may study in the library and class rooms. It is probable however that the greater number will prefer to return to their own books at home. This entails two double journeys a day instead of one, with consequent double waste of time and money. It is to be feared that not a few may be tempted—especially among those to whom the Principal is not lecturing—to seek some other employment, clerical or tutorial, to fill these spare hours and their pockets and so return at 5 to give tired hours to their legitimate work.

Work from 5 to 7 by practitioners who have been busy all day in court is certain to be inferior—however able and willing they may be. Lecturing with that force and conviction which alone is able to arrest the attention of students and impress clearly difficult points of law upon them requires an amount of mental energy and freshness which it is impossible to expect at the end of an eager day's work.

Inevitably for busy practitioners the hours from 10 to 11 and from 5 to 6 will be frequently truncated. The court opens at 11 sharp. The practitioner whose case is first on the list must therefore leave college at 10-50. Judges sit till 5, sometimes later. Even if there is nothing to be said at once to the client or the other side, it is impossible to be in one's chair at the college till ten minutes later. A large proportion of the work of a busy practitioner is out of court altogether and if court officials are to be seen it is frequently only possible in the hour between 5 and 6 P.M. It is to be noted that public meetings at which leading vakils are to preside are never called before 5-30 and more usually at 6 or 6-30, it being found impossible to rely on their appearance earlier. Another serious difficulty is that professional duty frequently calls leading practitioners away to the mufassal—sometimes at the shortest notice, sometimes indeed at none The consequent dislocation of college work is obvious. It is not indeed matter of theory but, from what I hear on all sides, of bitter experience in the old days of evening classes, when gentlemen like the late Mr. V. Krishnaswmi Ayyar were on the staff.

Three hours a day is a quite insufficient time for the necessary amount of lectures and classes. In my confidential letter, dated 18th March 1914, I have drawn up a proposed scheme of work for next term and I have pointed out that aiming at a minimum amount of lectures (*i.e.* not including classes) for each student it is impossible to cover all the subjects fairly and properly with less than 12 lectures per week for F.L. students, 15 for B.L., and 18 for Pleaders. Assuming that the Principal does 5 hours of class-work and 5 hours of lecturing during the day hours, he may take, say, 2 of the F.L. lectures and 3 of the B.L. That leaves 10 lectures for F.L., 12 for B.L., and 18 for Pleaders to be provided in the 15 hours week. That of course is impossible, and the alternative seems to be that the Principal should do Pleadership work and neglect either the B.L. or the F.L. students, which, in my opinion, would be highly undesirable. However, it might thus become barely possible to arrange for all the lectures that have to be delivered by the remainder of the staff to be fitted into a three-hour day. Tutorial class-work would have to be abandoned almost if not altogether completely: while moots which are now enjoying a healthy infancy, would be killed outright.

In the old days of evening classes it is to be noted that the full B.L. course took three years and not, as now, only two. In conclusion on this point I would draw your attention to a comparison of examination results before and after the old system of evening classes was abolished. They show, to my mind conclusively, the vast superiority of the present system.

Staff.—Under this head I have two sub-heads to deal with: (1) the undesirability of limiting appointments to men of twelve and seven years' standing; (2) the unfairness of any such rule to the existing staff.

Men of twelve and seven years' standing.—I would here refer again to the principal aim of the College, viz., "to improve the instruction in the theory of law so as to give greater prominence to scientific principles and less to practical training" and to the fact that in the present curriculum quite half the subjects for the full B.L. course are such as require "theoretical" knowledge rather than practical experience. The conclusion is obvious that a man of 12 years' standing is on the whole less likely to be a good lecturer in Roman Law or the English Law of Real Property than the man who has just taken a good degree in those subjects.

Secondly, I must point out that lecturing and practising in court though akin are by no means identical arts and that a man may be a very successful vakil of many years' standing and yet the worst possible of lecturers.

I have already in discussing the hours of work had to point out that successful practitioners have not sufficient time to do justice to college work, that they can give only wearied hours to such work, that they have frequent engagements in the mufassal, that even in Madras urgent business whether in or out of court hours would be for ever interfering with their college duties. To mention one additional disadvantage, it is difficult to see when they are going to find time for the study and preparation that should precede each lecture.

I cannot see any reason for supposing that long service at the bar would give a man greater value as a lecturer. On the other hand there seems to me, generally speaking, every reason to believe that the younger man is more likely to be the more efficient. To wait seven years before allowing a man to begin to lecture is to wait for seven years of fixing of habit, of growing incapacity to adopt a new attitude of mind. The younger the man, all else being equal, the more likely is he to sympathise with students and their difficulties, to enter into their sports and amusements. This again is not, I submit, mere theory. In England the practice, the almost universal practice I believe, is to appoint young men as tutors and teachers at school and college immediately or almost immediately after they have taken their degrees. At any rate to make it a principle that no man should be allowed to teach till seven years later would be unthinkable there!

I do not say that men should not be eligible for appointment for the first time—whether as professors or assistants—after long practice at the bar, but I do contend that normally quite young men who have taken good degrees in England or in India should be appointed, and that these young men, while having liberty to practice, should be expected to give their time primarily to the college in accordance with the resolution of the College Council in February 1912. After a three years' engagement or possibly one or two extensions it will generally be found that their bar practice has grown too large for them to fulfil their duties to the college and they will resign, leaving their places to be filled by other young men. Some, however, will discover that the teaching profession has greater attractions for them than the forensic and they will remain on at the college to take Professorships when they become vacant. This is my idea of a truly workable scheme—not indeed far different from that which is now existing—and I do most earnestly request Government at least to leave themselves perfect freedom of choice in this matter of appointment. If any alteration is to be made in the present rules, I would urge that it should be in the direction of abolishing all qualification in the way of standing at the bar, at least for the assistant professors.

I may further point out that the Principal need only be of five years' standing, while the same standing makes a Barrister eligible for a Small Cause Court or even a High Court Judgeship!

The Government Order omits all reference to special lecturers but I see from the draft rules that you have sent me that these are to remain. If that is so, it will be possible, whenever it is thought desirable, to have lectures on special subjects by a busy practitioner and there would be no objection to fix hours that would suit the practitioner's convenience, such as 10 to 11, 2 to 3 or even very exceptionally 5-30 to 6-30 or possibly on Saturday morning.

From my short experience I may say with some confidence that with a certain amount of give and take no difficulty is experienced in adjusting hours for my present staff in such a way that their court work and college work do not clash, although two of them have quite fair practices. Three times only, I think, during last term was it necessary for one of them to request a change of hours, which was easily arranged for in a five-hour day. At this point it is as well to state shortly and therefore somewhat dogmatically my belief that there is and can be in fact no essential difference between the type of work done by a professor and that done by an assistant professor. Lectures which are supposed to be the main business of a professor should give a connected general history and expound the theoretical principles of a subject. In tutorial classes the discussion of these principles and their working out in actual cases should be the main purpose of the tutor. He will require for this the co-operation of the student: and therefore question and answer will be his chief weapon and small classes are essential. It is of course possible to have lectures without classes to succeed them, but where there are both lecture and class work in the same subject it seems to me that they must be closely connected together and therefore that the person who gives the lecture must take the subsequent class. In other words I do not believe it is possible to have one set of persons giving lectures and another developing in class work the principles expounded in those lectures. The difference between the professor and the assistant professor is merely that the former will be of longer experience and better fitted by such experience and his reading to take the more difficult subjects. I venture to think that it was some recognition of this fact that induced Government to make the third of ther suggestions in G.O. No. 519, dated 31st July 1911, that I have mentioned above.

It will be a long day, I fear, to the tutor as he is known at Oxford, a man who can give regular daily or weekly attention to each individual student. Before that day arrives a very large addition to the staff will be necessary. Meanwhile I do not think we need lose sight of the ideal, and to this extent make some movement towards it by requiring that our professors and assistants shall be men who are not so busy that they cannot spend each day some little time beyond lecture hours in the college precincts, ready to answer the difficulties that are brought to them and to advise applicants as to their reading.

Before leaving this part of my subject I would say quite frankly that, if my suggestions are adopted, I do not think that the abolition of a "whole-time" junior professor need really throw much additional work upon the Principal. If out of my "part-time" staff I can expect one to be in charge of the athletic life of the college, another to advise as to the purchase and distribution of books in the library, a third to take interest in the moots and perhaps a fourth and fifth to aid me in what I cannot but feel will be one of the most important branches of my future work, the general welfare of the students, especially of those lodging in hired rooms and boarding in public hotels, I am quite free to say that I do not foresee any need for a curator. The present librarian was found by Dr. Swaminadhan to be quite inefficient—he knows nothing of law, nothing of books; and, though I differ from Dr. Swaminathan in believing him to be quite honest and as willing as can be expected in what is obviously to him an uncongenial task, there is no doubt he is quite incompetent and I should be glad to see his place taken by an intelligent graduate on an appreciably better salary. If, however, my staff is to consist entirely of men in busy practice, none of whom could aid me in any of the particulars I have mentioned, I should press for the appointment of the curator and should expect him to fulfil those extra duties enumerated or such of them as a change of policy might leave in possible existence. Guidance in reading must in any case come from the professors of the various subjects and I cannot imagine that any "curator" would be of much use in this direction.

I do not wish at present to press another point, but I think that the real burden of the change from "whole-time" men to "part-time" men is felt more by the "part-time" men themselves than by the Principal. Examinations or their equivalent are a necessary part of the college work, but the valuation of papers is tiresome and weary drudgery for which no extra pay is given. From whole-time men no complaint would be legitimate on this score, but I am not at all sure that part-timers are not entitled to be relieved of this by giving the work to outsiders on payment of reasonable fees.

In conclusion, if the Law College is to have any part in the brighter day that dawned for student life when the Principals of the various colleges in Madras met His Excellency and the Director on the 24th January last to discuss various problems connected therewith, if hostel accommodation is to be provided under College management, if a member of the College staff is to act as residential warden in such hostel, if intercourse between Professors and students is to be promoted in leisure hours as well as in hours of study, if for this purpose one or more members of the staff are to reside in the College itself, if games and athletics are to be developed, if the Law College is to join in Intercollegiate life, to be a living member of a corporate University and not a mere technical cram shop, surely it is necessary that, as far as possible, we should aim at obtaining a staff with some *esprit de corps*. The Government of India has refused to give us a wholetime staff. Surely we may desire and aim at having a staff young enough and free enough from other business to give their first thought and love to the College. In my opinion the Government Order under discussion rudely dashes all such hopes to the ground.

The present staff.—This consisted at the end of last term of a Junior Professor, two Assistants and a Special Lecturer whose term of service expired subsequently on the 30th April.

I enclose herewith a letter which I received with a request to forward from Mr. Appaswami, the acting Junior Professor, on the same day as I received your Proceedings under reply. I have withheld it so far as I thought it best to allow it to go with this. If Government adopt the suggestions that I made in my confidential letter, dated 18th March 1914, pending any changes that may seem to them necessary in the new scheme, I would very strongly recommend that Mr. Appaswami be given the formal ruling as to liberty to practise for which he asks. His request to be appointed one of the Professors under the new scheme, if it is brought into force, leads me to say with all respect that one of the worst features of the new scheme, as it appears to me, is its unfairness to the present staff. Mr. Appaswami has had a brilliant scholastic career and is in my opinion a teacher of very high qualifications. He has had five years' experience at the Law College, for three of which he has occupied the post of Junior Professor, and I have had from students a number of quite unsolicited and obviously genuine testimonials to his ability as a lecturer and his kindness as an adviser. He has sacrificed his practice at the Bar in the interests of the college. I have only become personally acquainted with him during the last six months, but I now know enough to say without hesitation that I should choose no one before him as a guide and mentor to youth. He is modest and retiring, but one would have to go far to find any one better fitted for a Professorship. Yet under the new scheme, if rigorously applied, his ability and experience and tried fitness for this post above all others are to count for nothing, the fact that he has been acting as Junior Professor is to count for nothing, his sacrifice of practice is to count for nothing; he is offered a post on a smaller salary than he has drawn for the last three years and the Professorship he asks for is to be filled by a man who, as far as I know, has done no lecturing at all since he took a brilliant degree in law over sixteen years ago.

If I do not speak in as high terms of Mr. T. Rajagopala Achari, the Senior Assistant Professor it is because in a sense he requires my commendations less. After years of successful work as a Headmaster he was enrolled as a vakil in 1896 and from 1902 has been a successful lecturer at the Law College in Hindu and Muhammadan Law. Mr. Nelson, I know, had a high opinion of his capacity. He must be getting on in years now, and on this ground alone I do not think I

should recommend his appointment if he were an outside applicant. I do feel, however, that, considering his long and faithful service to the Law College—for which, like Mr. Appaswami, he has sacrified the building up of a practice—it would be very hard on him (to say the least) to appoint any other over his head.

With regard to Mr. Kunhi Raman, I need only say very little. He was enrolled in 1910, and therefore under the seven-year rule he is ineligible for appointment, and yet he has now three years' experience as Assistant Professor in the College. If the new scheme is to come into force in all its rigour, we are to throw away his experience and he will have to go.

That then is the position. Of my present "permanent" staff of three, two are to be passed over and left with a sore feeling of a grievance, while the third is to go altogether. It is not a happy situation for a new Principal to face, and in my own interest as well as theirs I must repeat the request that I have already made in my letter, dated 18th March 1914, that, whatever decision is come to on the new scheme as a whole, the position of the present members of the staff shall receive special consideration.

The draft rules.—I come at length to these, but in view of what I have already written my remarks thereon need only be brief.

Rule 10.—The addition of the word "ordinarily" between "shall" and "be debarred" is new and appears to me dangerous I think it would be a mistake to allow the Principal to practise at any time. I suppose that the intention is to enable an acting Principal to practise. Would it not be wiser to allow him to finish off any current cases he has but not to take up any new ones as long as he holds the post. Otherwise there is a risk of a repetition of the dislocation which occurred about 1907–09 when every member of the staff was a part-time man. The passage "The Professors . . . standing at the Bar" repeats the wording of the Government Order and I need not reiterate my criticisms thereon.

Rule 11.—This is entirely new. Under the equivalent Rule (No. 12) in the existing rules the duties of the Professors, etc., are determined by the Principal and as under Rule 30 the time-table is submitted to the Director, who has the ultimate control, I do not understand the necessity for this rule at all. Nor do I understand, if there is to be a rule, why the Professors who are to get double the pay of the Assistants are only to do half as many lectures, to hold no tutorial classes and (see Rule 31) to have none of the work of valuing examination papers. The increase of staff has not been asked for with a view to lightening the work of Professors, but in order that it may be possible by having more hours available to have smaller tutorial classes and so make them really efficient. I can find nothing in the Government Order to suggest that Government intends or desires that Professors should have lighter work than at present—and it would be interesting to know from what source this entirely new suggestion—new at any rate to me—emanates.

The alternative rule suggested in the body of your Proceedings errs still further—if I may say so—in the direction of lightening work. Under it the whole staff in spite of the extra two hours assigned to the Principal, will deliver altogether only 50 lectures to classes a week, the number which the staff as it existed last term was already delivering. I need only remark that the whole object of the increase of staff is thereby frustrated.

I need hardly say that I cannot welcome the proviso at the end of alternate rule 11. The proviso that I should like to see is the contrary one suggested by the College Council in February 1912, viz., that the practice of the members of the staff should in no way interfere with the discharge of their duties in the College.

The last provision in rule 11 is not practicable. For "College Council" should be substituted "Professors and Assistant Professors of the College." The provision is new but modified as I suggest gives what I actually did in December to last term and will be my practice in future.

Rule 15.—This is practically the same as at present, but I would suggest the addition of the word "ordinarily" between "shall" and "be submitted" and for "can join" the substitution of "should ordinarily join". The actual practice has been to allow students to apply or join later at the discretion of the Principal, and the wording of the rule should legitimate this.

Rule 16.—The first paragraph is new; and with the exception of the first sentence I think it a welcome addition. I doubt whether the first provision will not be merely troublesome to students and my office without much practical utility. I would therefore suggest its elision unless there seems to you some particularly good reason for retaining it. To me the prescribed form under rule 15 seems amply sufficient without a transfer certificate.

Rule 29.—From "each scholarship holder" to the end this is new, and I suppose has been inserted to meet some case which has recently risen. I do not object to it, though I doubt whether it will be of much value.

Rule 30.—For "7" I would substitute "5" or even "4" and *insert* the word "ordinarily" between "shall" and "be held."

Rule 31.—This is altogether new and is in my opinion undesirable as it stereotypes one particular method out of several for aiding and testing the progress of the student. I have already on rule 11 pointed out that the work of valuing papers should— if done by the College staff at all—be equally shared by all and not thrown exclusively on the assistant professors, and I need not elaborate that. Three examinations a year in each course is quite impracticable. In none is it necessary or desirable to have more than two and in some of the shorter courses one would be quite sufficient. There are other methods of testing progress of which I may mention the writing of essays with and without the use of books and short question papers requiring three or four word answers.

I disapprove generally of this or any other rule upon this subject as tending to a lack of elasticity in method and I consider that rule 6 sufficiently ensures that the Principal's discretion in the choice of method will be properly exercised.

I notice with approval that rules 19 and 35 of the present rules are proposed to be omitted.

In final conclusion upon the whole matter, though I have had to write a very lengthy letter, I think that I can sum up the gist of it all in a few brief sentences.

In view of the refusal of the Government of India to appoint "whole-time" men and in view of the subsequent action of the Government of Madras in getting the post of junior professor abolished we must be prepared to accept the principle of "part-time" men for all posts but that of the Principal. That we should also sacrifice the advantages of day-time work and the principle that liberty to practise should in no way interfere with the discharge by the professors of their duties to the College seems to me—as they seemed to the College Council in February 1912—highly undesirable and wholly unnecessary. That in addition Government should confine their choice to men of 7 and 12 years' standing has apparently never even been suggested to the Council for consideration. To me it appears to be a limiting of the field of choice not to that part where the best men are likely to be found, the men with the most recent acquaintance with books, the men young enough to understand students, the men leisured enough to be able to give heart and soul to the College work, the men still adaptable and capable of learning a new art, the men to whom the salaries offered will be a real inducement to put out their best, but to that part where a priori there is the least likelihood of finding men of the sort of the qualities that I have just enumerated.

I can only utter my most earnest prayer that in the interests of the College, in the interests of general legal education in this Province, in the interests of the University and in the interests of the students you will be able to persuade Government to reconsider G.O. No. 224, Educational.

I have no desire to hurry a conclusion: but, as I have already pointed out in my confidential letter, dated 18th March 1914, it is very important for the College that we should have an immediate increase of staff. I therefore request again that pending such reconsideration the suggestions I then made, viz., that Mr. Adiga should be again appointed as special lecturer and that two others should be added temporarily to our staff, should be adopted. I was, I trust, not too rash in hoping that this would be done, and arranging for the work of next term on that basis. If it is not done, there will inevitably be a considerable amount of confusion and waste of time before an unprepared staff, however composed settles down to a new regime. My staff —as it existed last term—have been using the vacation to prepare their lectures in accordance with the arrangements we made at the beginning of April. Rearrangement will mean that some at least of us will have to start on subjects of which we will have had no preliminary notice.

IV

Memorandum No. 3427-1, Educational, dated 12th November 1914.

The Director of Public Instruction is requested to obtain the remarks of the Law College Council on the scheme for the reorganization of the College, as detailed in G.O. No. 224, Educational, dated the 15th March 1913, and the draft revised rules based thereon as well as the modifications suggested therein by the Government in their Memorandum No. 1573-1, dated the 6th May 1914, and by the present Principal of the College in his letter to the Director, dated the 8th June 1914. In forwarding the above remarks, the Director is also requested to express his own views thereon.

P. Rajagopala Achariyar,
Secretary to Government.

To the Director of Public Instruction.

V

Letter—from the Hon'ble Mr. H. S. Duncan, M.A., Acting Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—Madras, the 15th June 1915.
No.—Ref. on Cur. 2225/13.

With reference to Government Memorandum No. 3427-1, Educational, dated 12th November 1914, I have the honour to submit herewith copies of the minutes of the Law College Council held on the 3rd February 1915, and of the Principal's

letter R.C. No. 92 of 1914, dated 10th February 1915, embodying the views of the Council and of the Principal on the scheme for the reorganization of the Law College as detailed in G.O. No. 224, Educational, dated 15th March 1913, and the draft revised rules based thereon with modifications suggested therein by the Director and Government.

2. As the Senate has passed a resolution lengthening the B.L. course from two to three years, the Principal was asked to make in consultation with the College Council whatever alterations he considered necessary in the draft rules in case Government sanctioned the change. I submit herewith a statement showing the present rules, the rules as modified by the Director and Government, the suggestions of the College Council and my remarks. The alternative rules which are underlined in red ink will have to be accepted only in the event of the proposal of the Senate to lengthen the B.L. course being sanctioned by Government.

3. I beg to submit that rules 28, 29 and 30 as they will stand after the proposed modifications of the Council have been carried out would give scholarships for the second year course only and that no provision has been made for the continuance of the scholarship during the third year of the course, though it would appear natural for a scholarship once gained to be available for renewal till the end of the course. If the rules are amended to permit of this being done, the expenditure will be Rupees 800 per annum instead of Rs. 400 only which is now the case. If it is desired to maintain the total amount spent on scholarships without any increase, I would suggest that instead of two scholarships only one be given to a Muhammadan, Uriya or any member of the other backward castes and classes, on the results of the First Law examination, and another on the results of the Second Law examination. This will mean that when a "backward class" student obtains a scholarship on the results of the First Law examination he will have a chance of retaining it for a second year if he does sufficiently well in the Second Law examination.

Enclosures.

(1)

Letter—from A. Davies, Esq., M.A., *Bar.-at-Law*, Principal, Law College, Madras.
To—the Director of Public Instruction.
Dated—the 10th February 1915.
No.—R.C. 92 of 1914.

In reply to your Proceedings Ref. on Cur. No. 2225 of 1913, dated 12th December 1914, I have the honour to state that a meeting of the Law College Council was held at the High Court on Wednesday the 3rd February 1915 at 5 P.M. to consider the various matters referred to therein.

2. These were dealt with under two main heads—(1) the general scheme for the reorganization of the college detailed in G.O. No. 224, Educational, dated 15th March 1913 and (2) the draft revised rules based thereon with modifications suggested therein.

3. With reference to the G.O. No. 224, Educational, dated 15th March 1913, I am to state that the Council is in general agreement with the remarks made by myself in my letter to you, dated 8th June 1914.

4. Taking the various points dealt with in the order in which they were considered, the Council was of opinion that the hours of work should be fixed in the interests of the students and not of the professors. The Hon'ble Mr. Justice Tyabji said that he could testify from his experience as a lecturer in the Government Law School, Bombay, to the evils of evening classes, and that the Hon'ble Mr. Justice Sadasiva Ayyar and Mr. S. Srinivasa Ayyangar endorsed his opinion from their experience as students of the Madras Law College under the old regime.

5. The Council noted that it had already resolved in February 1912, that the existing hours of work (10 to 5) should be retained, and it could only reiterate *unanimously* the resolution then passed.

6. With reference to the qualification of professors in view of the proposals made by the Council in its meeting of August 1914 and referred to in the second paragraph of your Proceedings under reply, the Council was of opinion that it is unnecessary to specify any particular qualifications. Those fixed by the Government Order would only bar out a number of excellent candidates and unnecessarily narrow the field of choice to men by no means a priori the most eligible, length of standing at the bar not being the true qualification.

7. In view of the expression of my opinion that a Curator would be of little value for the purpose mentioned in the Government Order, the Council further resolved that it seems unnecessary to appoint such an officer.

8. With reference to the draft revised rules, these were carefully compared with the present rules and with the suggested modifications, and the suggestions of the College Council are to be found in column No. D of the accompanying table drawn up in accordance with paragraph 3 of your Proceedings under reply.

(2)

Minutes of the meeting of the Law College Council held on 3rd February 1915.

Present:

The Hon'ble the Chief Justice and President, Law College Council.
The Hon'ble Mr. Justice Tyabji, M.A., *Bar.-at-Law.*
The Hon'ble Mr. Justice C. F. Napier, *Bar.-at-Law.*
The Hon'ble Mr. Justice T. Sadasiva Ayyar, B.A., M.L.
The Hon'ble Mr. Justice F. D. P. Oldfield, I.C.S.
M.R.Ry. S. Srinivasa Ayyangar Avargal, B.A., B.L.
" Paul Appaswami, M.A., LL.B., *Bar.-at-Law.*
A. Davies, Esq., M.A., *Bar.-at-Law.*

Read Proceedings of the Director of Public Instruction, Ref. on Cur. No. 2225 of 1913, dated 12th December 1914 and G.O. No. 224, Educational, dated 15th March 1913.

Resolved—

(i) That the present hours of instruction, viz., 10 to 5 should be maintained and no departure made therefrom.

(ii) That no qualifications should be laid down to limit the field of choice in selecting Professors or Assistant Professors.

(iii) That it seems unnecessary to appoint a Curator.

Read also draft revised rules.

Amendments suggested so that the Rules should read as appear in table to accompany the Principal's reply to the above Proceedings.

Resolved that the Principal's draft reply to the above Proceedings should be circulated to the members of the Council before submission to the Director.

No. 114.

True copy submitted to the Director of Public Instruction.

Law College, Madras,
10th February 1915.

A. Davies,
Principal.

(3)

Rules relating the constitution and working of the Madras Law College.

Present rules. A	Proposed rules by the Director with modifications by Government of rule 11. B	Proposed changes by the Principal. C	Proposed changes by the Law College Council. D	Director's remarks. E
Preamble.	*Preamble.*	....	*Preamble.*	....
The following code of rules relating to the constitution and working of the Madras Law College have been sanctioned by Government :—	The following code of rules relating to the constitution and working of the Madras Law College has been sanctioned by Government :—		The following code of rules relating to the constitution and working of the Madras Law College has been sanctioned by Government :—	
Object.	*Object.*	....	*Object.*	....
1. The college, which is affiliated to the Madras University in the Faculty of Law, is intended to afford instruction to students preparing for the B.L. and M.L. Degree Examinations or the First-grade Pleadership Examination, for the Civil and Criminal Special Test Examinations, and such other examinations in Law as may hereafter be instituted.	1. The college, which is affiliated to the Madras University in the Faculty of Law, is intended to afford instruction to students preparing for the B.L. and M.L. Degree Examinations or the High Court Pleadership Examination for the Civil and Criminal Special Test Examinations, and such other examinations in Law as may hereafter be instituted.		1. The college, which is affiliated to the Madras University in the Faculty of Law, is intended to afford instruction to students preparing for the B.L. and M.L. Degree Examinations or the High Court Pleadership Examination for the Civil and Criminal Special Test Examinations, and such other examinations in Law as may hereafter be instituted.	
Control.	*Control.*	....	*Control.*	....
2. Subject to the control of the Director of Public Instruction the general management of the college is vested in a Council which shall consist of two or more Judges of the High Court, one of whom shall be President, the Principal, the Junior Professor, and such other members as may be appointed by the Government.	Subject to the control of the Director of Public Instruction the general management of the college is vested in a Council which shall consist of two or more Judges of the High Court, one of whom shall be President, the Principal, the two college Professors, and such other members as may be appointed by the Government. The Principal shall *ex-officio* be the Secretary to the Council.		2. Save as hereinafter provided the general management of the college shall be vested in the Director of Public Instruction.	
3. (*a*) The Principal shall, at the end of each term, circulate a report to the members of the Council on the state of affairs of the college. (*b*) The President shall call a meeting of the Council at such times as he may deem fit or at any time on the requisition of any two members of the Council.	3. (*a*) The Principal, shall at the end of each term, circulate a report to the members of the Council on the state of affairs of the college. (*b*) There shall be an ordinary annual meeting of the Council in the month of March. (*c*) The President may call special meetings of the Council at such times as he may deem fit or at any time on the requisition of any two members of the Council.	....	3. There shall be a Law College Council consisting of two or more Judges of the High Court, one of whom shall be President, the Principal, the two College Professors, and such other members as may be appointed by the Government. The Principal shall *ex-officio* be the Secretary to the Council. The Council shall be consulted (1) in all matters regarding the general organization of the college, substantial changes in the curriculum or the hours of work, and (2) in such other matters as the Director of Public Instruction may desire. 4. (*a*) The Principal shall at the end of each term circulate a report to the members of the Council on the state of affairs of the college. (*b*) There shall be an ordinary annual meeting of the Council in the month of March. (*c*) The President may call special meetings of the Council at such times as he may deem fit or at any time on the requisition of any two members of the Council.	....
4. In the absence of the President, the senior member shall preside at such meetings. The President or presiding member shall have a vote on all questions placed before the meeting and in the event of the votes being equally divided he shall have a second or casting vote.	4. In the absence of the President, the senior member shall preside at such meetings. The President or presiding member shall have a vote on all questions placed before the meeting and in the event of the votes being equally divided he shall have a second or casting vote.	....	5. In the absence of the President, the senior member shall preside at such meetings. The President or presiding member shall have a vote on all questions placed before the meeting and in the event of the votes being equally divided he shall have a second or casting vote.	
5. The minutes of the proceedings of all meetings of the Council shall be forwarded by the Principal to the Director.	5. The minutes of the proceedings of all meetings of the Council shall be forwarded by the Principal to the Director.	....	6. The minutes of the proceedings of all meetings of the Council shall be forwarded by the Principal to the Director.	*Rule* 6.—If "Principal" remains in the rule the word "forwarded" may be replaced by the word "submitted".
6. The executive management of the college is vested in the Principal who shall be independent of the Council in all matters of discipline but he shall not make any change in the prescribed courses of instruction or the general management of the college without the sanction of the Council and the Director.	6. The executive management of the college is vested in the Principal who shall be independent of the Council in all matters of discipline but he shall not make any change in the prescribed courses of instruction or the general management of the college without the sanction of the Council and the Director.	....	7. The executive management of the college is vested in the Principal who shall be independent of the Council in all matters of discipline but he shall not make any change in the prescribed courses of instruction or the general management of the college without the sanction of the Director.	
7. The members of the staff are subordinate to the Principal and all communications which they may wish to address to the Council or to the Director of Public Instruction must be forwarded through him.	7. The members of the staff are subordinate to the Principal and all communications which they may wish to address to the Council or to the Director of Public Instruction must be forwarded through him.	....	8. The members of the staff are subordinate to the Principal and all communications which they may wish to address to the Council or to the Director of Public Instruction must be forwarded through him.	*Rule* 8.—The word "forwarded" may be replaced by the word "submitted."
Staff.	*Staff.*		*Staff.*	
8. The staff shall consist of a Principal who shall also be Senior Professor, a Junior Professor, and not less than two Assistant Professors.	8. The staff shall consist of a Principal, two Professors and six Assistant Professors.	....	9. The staff shall consist of a Principal, two Professors and six Assistant Professors. The members of the staff will be appointed by Government on the recommendation of the Council.	*Rule* 9.—It seems rather anomalous that the Director who is responsible for the management and discipline of the college should have no voice in making suggestions in the matter of appointments. He may consult the Principal, when necessary and suggest any modifications in the recommendations of the College Council that might be deemed necessary. Nor do I think that the hands of Government should be tied down as they apparently are in rule 9 to making appointments only on the recommendation of the Council. As the rule runs no appointment can be made by Government unless the Council recommends a person to fill the post. There is no doubt that the Council should have both the duty and right of making recommendations for filling vacant appointments, but it should at the same time be open to Government to appoint some one who need not necessarily be recommended by the Council. The word "on" may therefore, it is suggested, be replaced by the phrase "after taking into consideration."
9. Special lecturers will, when necessary, be appointed by Government on the recommendation of the *Director* to deliver special courses of lectures or to hold special tutorial classes in any of the subjects of instruction.	9. Special lecturers will, when necessary, be appointed by Government on the recommendation of the Director to deliver special courses of lectures or to hold special tutorial classes in any of the subjects of instruction.	....	10. Special lecturers will, when necessary, be appointed by Government on the recommendation of the Council to deliver special courses of lectures or to hold special tutorial classes in any of the subjects of instruction.	*Rule* 10.—As in Rule 9 "on" may be replaced by the phrase "after taking into consideration."

Rules relating the constitution and working of the Madras Law College—*cont.*

Present rules. A	Proposed rules by the Director with modifications by Government of rule 11. B	Proposed changes by the Principal. C	Proposed changes by the Law College Council. D	Director's remarks. E
10. The Principal shall be a graduate of a University and a Barrister-at-Law of not less than five years' standing. The Junior Professor and Assistant Professors shall ordinarily be graduates of a University and shall be either Barrister-at-Law of not less than three years' standing or Vakils of the High Court of Madras of not less than five years' standing. The special lecturers shall possess such qualifications as may be considered necessary for the special duties they have to perform.	10. The Principal shall be a graduate of a University, and a Barrister-at-Law of not less than five years' standing. He shall devote his whole time to the work of the college and shall *ordinarily* be debarred from pursuing his profession except in consulting or Chamber practice. The Professors and Assistant Professors shall be selected from *men of distinction in the legal profession and in daily touch with it. They shall be members of the bar in active practice, the Professors being of not less than* 12 *years' and the Assistant Professors of not less than 7 years' standing at the bar.* The special lecturers shall possess such qualifications as may be considered necessary for the special duties they have to perform.	10. In this line omit the word "ordinarily." (*Note.*—With the remainder of the staff only "part time men" I consider it dangerous to allow the Principal to practice at any time). Omit the words "men of distinction . . . . standing at the bar", and substitute therefor the words "men of legal distinction whether in active practice or not." (*Note.*—My reasons for amending the proposed rule as I have done are too lengthy for insertion. They are contained in my letter to the Director, dated 8th June 1914, confidential.) I may add, however, one additional consideration. Under the rules as originally proposed it would be impossible to obtain a young Englishman who has just obtained a brilliant legal degree at Oxford or Cambridge. Under my amended proposal, such a man with liberty to practise might be quite glad to come out as a Professor.)	11. The Principal shall be a graduate of a University and a Barrister-at-Law of not less than five years' standing. He shall devote his whole time to the work of the college and shall be debarred from pursuing his profession except in consulting or chamber practice. The Professors and Assistant Professors shall be at liberty to practise. (*Note.*—This rule need not apply to an acting Principal.)	*Rule* 11.—The phrase "without prejudice to their legitimate duties" may, it is suggested, be inserted after the words "at liberty to practise."
11. The Principal and the Junior * Professor shall devote their whole time to the work of the college and shall be debarred from pursuing their profession except in consulting or chamber practice.	11. The Principal shall deliver two lectures each working day. The Professors shall deliver each one lecture every working day of the college. The Assistant Professors shall deliver lectures and hold tutorial classes for ordinarily not less than ten hours a week. The distribution of work for each term shall be settled by the Principal in consultation with the *College Council* and announced before the end of the preceding term.	11. *Omit* whole rule to "10 hours a week" and *substitute* rule 12 in the existing Code with an addition, viz.— "The duties of the Professors, Assistant Professors and special lecturers shall, from time to time, be determined by the Principal subject to the approval of the Director." (*Note.*—My reasons are mainly confidential and are set out in my letter of 8th June 1914.) *For* "College Council" *substitute* "Professors and Assistant Professors of the college." (*Note.*—The College Council are unwilling to do this work and it is much better done as suggested in my notification.)	12. The duties of the Professors, Assistant Professors and special lecturers shall from time to time be determined by the Principal. 13. The distribution of work for each term shall be settled by the Principal in consultation with the Professors and Assistant Professors of the college and announced before the end of the preceding term.	

* The present Junior Professor is permitted to practise in Madras City.

	Alternative draft of Rule 11 *by Government.* "The Principal shall deliver not less than twelve lectures each week. The Professors shall deliver four lectures a week. The Assistant Professors will be required to devote five hours a week to lectures and tutorial classes. The distribution of work for each term shall be settled by the Principal in consultation with the College Council and announced before the end of the preceding term, provided, however, that the hours of work are so arranged as not to interfere with the court work of the Professors and Assistant Professors."	[*Note.*—This alternative rule would simply leave the number of available hours for lectures the same as at present which I take it is not the intention of Government in increasing the staff.] [*Note.*—The last clause is directly contrary to the recommendations of the College Council in its resolution of 5th February 1912.]	....	
12. The duties of the professors, assistant professors and special lecturers, shall, from time to time, be determined by the Principal.	Cancelled.	*Substitute* this for rule 11 in column B.	....	
Courses of Instruction. 13. The courses of instruction for the B.L. classes shall be as laid down in the by-laws and regulations of the Madras University. They shall extend over two years, divided into four terms, the terms being separated by the two vacations of the year. During the first two terms students shall be prepared for the First Examination in Law and during the remaining two terms students who have passed the First Examination shall be prepared for the B.L. Degree Examination. The course of instruction for the Pleadership class shall embrace the subjects prescribed in the rules made by the High Court under the Legal Practitioners' Act and shall extend over one year of two consecutive terms. The courses of instruction for the special class shall be fixed by the Director on the recommendation of the Principal.	*Courses of instruction.* 14. The courses of instruction for the B.L. classes shall be as laid down in the By-Laws and Regulations of the Madras University. They shall extend over two years, divided into four terms, the terms being separated by the two vacations of the year. During the first two terms students shall be prepared for the First Examination in Law and during the remaining two terms students who have passed the First Examination shall be prepared for the B.L. Degree examination. The course of instruction for the Pleadership class shall embrace the subjects prescribed in the rules made by the High Court under the Legal Practitioners' Act and shall extend over one year of two consecutive terms. The courses of instruction for the special class shall be fixed by the Director on the recommendation of the Principal.	....	*Courses of instruction.* 14. The courses of instruction for the B.L. classes shall be as laid down in the by-laws and regulations of the Madras University. They shall extend over two years, divided into four terms, the terms being separated by the two vacations of the year. During the first two terms students shall be prepared for the First Examination in Law and during the remaining two terms students who have passed the First Examination shall be prepared for the B.L. Degree Examination. The course of instruction for the Pleadership class shall embrace the subjects prescribed in the rules made by the High Court under the Legal Practitioners' Act and shall extend over one year of two consecutive terms. The courses of instruction for the special class shall be fixed by the Director on the recommendation of the Principal.	*Courses of instruction.* 14. *The course of instruction for the B.L. classes shall be as laid down in the By-Laws and Regulations of the Madras University. They shall extend over three years divided into six terms, the terms being separated by the two vacations of the year. During the first two terms students shall be prepared for the First Examination in law, during the next two terms students who have passed the First Examination shall be prepared for the Second Examination in Law and during the remaining two terms students who have passed the Second Examination shall be prepared for the B.L. Degree Examination. The course of instruction for the Pleadership class shall embrace the subjects prescribed in the rules made by the High Court under the Legal Practitioners' Act and shall extend over one year of two consecutive terms. The courses of instruction for the special class shall be fixed by the Director on the recommendation of the Principal.*
Classes. 14. The college shall contain the following classes :— (1) *B.L. classes* to consist of students preparing for the B. L. Degree Examination.	*Classes.* 13. The college shall contain the following classes :— (1) *B.L. classes* to consist of students preparing for the B.L. Degree Examination.	....	*Classes.* 15. The college shall contain the following classes :— (1) *B.L. classes* to consist of students preparing for the B.L. Degree Examination.	

Rules relating the constitution and working of the Madras Law College—*contd.*

Present rules. A	Proposed rules by the Director with modifications by Government of rule 11. B	Proposed changes by the Principal. C	Proposed changes by the Law College Council. D	Director's remarks. E
(2) *Pleadership class* to consist of students preparing for the Pleadership Examination of the first grade in the High Court. (3) *Special class* to consist of all other students attending any course of instruction in the college.	(2) *Pleadership classes* to consist of students preparing for the Pleadership Examination conducted by the High Court. (3) *Special classes* to consist of all other students attending any course of instruction in the college.	....	(2) *Pleadership classes* to consist of students preparing for the Pleadership Examination conducted by the High Court. (3) *Special classes* to consist of all other students attending any course of instruction in the college.	....
Strength of classes.	*Strength of classes.*		*Strength of classes.*	
15. There shall be no fixed limit to the number of students to be admitted into any class, admissions being regulated with due regard to the accommodation and staff available for efficient instruction. But, should it be considered necessary that a limit should be fixed as regards admission, selection shall be made in the order of the receipt of applications by the Principal.	14. There shall be no fixed limit to the number of students to be admitted into any class, admissions being regulated with due regard to the accommodation and staff available for efficient instruction. But, should it be considered necessary that a limit should be fixed as regards admission, selection shall be made in the order of the receipt of applications by the Principal.	....	16. There shall be no fixed limit to the number of students to be admitted into any class, admissions being regulated with due regard to the accommodation and staff available for efficient instruction. But, should it be considered necessary that a limit should be fixed as regards admission, selection shall be made in the order of the receipt of applications by the Principal.	....
Admissions, Dismissals and Withdrawals.	*Admissions, Dismissals and Withdrawals.*		*Admissions, Dismissals and Withdrawals.*	
16. All applications for admission shall be in a prescribed form and shall be submitted so as to reach the Principal not later than the 1st of July in the case of the B.L. and the Pleadership classes and the 1st of January in the case of the F.L. and the Pleadership classes. Students for the special classes can join the college at the commencement of either the Spring or the Autumn Term.	15. All applications for admission shall be in a prescribed form and shall be submitted so as to reach the Principal not later than the 1st of July in the case of the F.L. and the Pleadership classes and the 1st of January in the case of the B.L. and the Pleadership classes. Students for the special classes can join the college at the commencement of either the Spring or the Autumn Term.	15. Insert "ordinarily" between "shall" and "be submitted." *Note.*—The suggested modifications are in accordance with actual practice.	....	

Application for admission to the F.L. and Pleadership Classes.

Name of the applicant in full.

House or village name.

Age, last birthday and date of birth.

Address of the applicant. (1) Local (country).

(2) Present (Madras). *

Occupation of student. *

The University Examination or other educational test which applicant has passed (with the date of passing).

Branch of the B.A. Examination which applicant passed in.

The examination which applicant desires to study for.

Classification according to the race or creed of the applicant.

- Europeans and Eurasians.
- Indian Christians.
- Muhammadans.
- Hindus.
  - Brahmans.
  - Non-Brahman caste Hindus.
  - Panchamas or Parayas or kindred classes.
- Buddhists.
- Parsis.
- Aborigines.
- Others.

* Any subsequent change in the address or occupation of the applicant should at once be communicated to the College office.

Application for admission to the F.L. and Pleadership Classes—*cont.*

Distribution of applicants according to wealth.	Richer classes (drawing an annual income of Rs. 5,000 or upwards).
	Middle classes (drawing an annual income of Rs. 200 and upwards but less than Rs. 5,000).
	Poorer classes (drawing an annual income of less than Rs. 200).
Occupation of parents.	Officials.
	Petty officials and menial servants.
	Traders.
	Landholders.
	Artisans.
	Coolies.
	Mendicants.
	Others.
Vaccination or small-pox.	Vaccination or revaccination certificate by whom granted.
	Small-pox mark certificate by whom signed.

The college where the applicant studied last for his arts examination.

I do hereby solemnly declare that to the best of my belief the information I have given above is correct.

Date.

(*Signature*).

Application for admission to the S.L. Class.

Date of passing the F.L. Examination.

Date.

(*Signature*).

Application for admission to the B.L. Class.

Date of passing the S.L. Examination.

Date.

(*Signature*).

N.B.—Under G.O. No. 609, Public, dated 18th August 1894, *all persons applying for admission into Government Professional College* are required to produce "certificates of revaccination after the completion of the tenth year, or, should they not have been vaccinated in early childhood, of vaccination after reaching the age of ten years. In the event of their having suffered from small-pox before or during their tenth year, they must produce a certificate of vaccination or revaccination subsequent to their having attained the age of ten. This certificate will not, however, be required from persons who bear the marks of small-pox and who produce a certificate signed by two respectable householders that to their personal knowledge the individual was attacked with small-pox after he had completed his tenth year".

2. The certificate of vaccination or revaccination referred to above must, under the rules embodied in the Government order quoted above (vide rule 13) be granted by either Surgeons or Assistant Surgeons or Apothecaries or Hospital Assistants or Deputy Inspectors of Vaccination.

[*The entries below will be filled up by the College office.*]

Application received on————	Applicant can be admitted.
Clerk.	*Principal.*

Rules relating the constitution and working of the Madras Law College—*cont.*

Present rules. A	Proposed rules by the Director with modifications by Government of rule 11. B	Proposed changes by the Principal. C	Proposed changes by the Law College Council. D	Director's remarks. E
17. The Principal may refuse admission to any candidate whose previous conduct has not been satisfactory. His order shall be subject to appeal to the Director, whose decision shall be final.	16. The application for admission shall also be accompanied by the transfer certificate referred to in regulation 385 of the University Regulations. In the case of an applicant who had been previously employed, the application shall also be accompanied by a certificate of good conduct from the head of the office where he was employed and in the case of applicants who were at any time in Government service the register of such service shall also be produced if so required by the Principal. The Principal may refuse admission to any candidate whose previous conduct has not been satisfactory. His order shall be subject to appeal to the Director, whose decision shall be final.	16. *Omit* first sentence. (*Note.*—Subject to any better opinion I do not think the first sentence would be of much utility and I therefore suggest its omission.)	18. The application for admission shall also be accompanied by the transfer certificate referred to in regulation 385 of the University Regulations. In the case of an applicant who has been previously employed, the application shall also be accompanied by a certificate of good conduct from the head of the office where he was employed, and in the case of an applicant who was at any time in Government service the register of such service shall also be produced if so required by the Principal. The Principal may refuse admission to any candidate whose previous conduct has not been satisfactory. His order shall be subject to appeal to the Director, whose decision shall be final.	....
18. Any student who has obtained admission into the college by means of a false certificate or by false representations of any kind, or who has been found guilty of grave misconduct, shall be summarily dismissed, the fact of such dismissal and the reasons for it being at once reported to the Director.	17. Any student who has obtained admission into the college by means of a false certificate or by false representations of any kind, or who has been found guilty of grave misconduct, shall be summarily dismissed, the fact of such dismissal and the reasons for it being at once reported to the Director.	....	19. Any student who has obtained admission into the college by means of a false certificate or by false representations of any kind, or who has been found guilty of grave misconduct, shall be summarily dismissed, the fact of such dismissal and the reasons for it being at once reported to the Director.	....
19. Withdrawals in the case of scholarship-holders shall, except for good and sufficient reasons, be allowed only on completion of the course for which the scholarships have been awarded.	Cancelled	....	....	....
Qualifications for Admission.	*Qualifications for Admission.*		*Qualifications for Admission.*	
20. Candidates for admission to the B.L. classes must have passed the B.A. Degree Examination of the Madras University or some other examination accepted by the University as equivalent thereto, provided that candidates who have appeared for the B.A. Examination may be admitted provisionally pending publication of the results.	18. Candidates for admission to the B.L. classes must have passed the B.A. Degree Examination of the Madras University or some other examination accepted by the University as equivalent thereto, provided that candidates who have appeared for the B.A. Examination may be admitted provisionally pending the publication of the results.	....	20. Candidates for admission to the B.L. classes must have passed the B.A. Degree Examination of the Madras University or some other examination accepted by the University as equivalent thereto, provided that candidates who have appeared for the B.A. Examination may be admitted provisionally pending the publication of the results.	....
21. Candidates for admission to the Pleadership class must have passed the B.A. Degree Examination of a British Indian University or such examination at one of the English, Irish or Scotch Universities as may be declared by the High Court to entitle the m to admission to the Pleadership examination of the first grade.	19. Candidates for admission to the Pleadership class must have passed the B.A. Degree Examination of a British Indian University or such examination at one of the English, Irish or Scotch Universities as may be declared by the High Court to entitle them to admission to the Pleadership examination.	....	21. Candidates for admission to the Pleadership class must have passed the B.A. Degree Examination of a British Indian University or such examination at one of the English, Irish or Scotch Universities as may be declared by the High Court to entitle them to admission to the Pleadership examination.	....
22. Candidates for admission to the special classes shall possess such educational qualifications as the Principal may consider necessary to enable them to profit by the instruction given in the subjects selected by the candidates.	20. Candidates for admission to the special classes shall possess such educational qualifications as the Principal may consider necessary to enable them to profit by the instruction given in the subjects selected by the candidates.	....	22. Candidates for admission to the special classes shall possess such educational qualifications as the Principal may consider necessary to enable them to profit by the instruction given in the subjects selected by the candidates.	
Fees.	*Fees.*		*Fees.*	
23. Fees shall be levied as under :— *B.L classes.*—First year Rs. 75 per term ; second year Rs. 100 per term. *Pleadership class.*—Rupees 50 per term. *Special classes.*—Rupees 12 for each subject provided that the minimum fee shall be not less than Rs. 20 per term.	21. Fees shall be levied as under :— *B.L. classes.*—First year Rs. 75 per term ; second year Rs. 100 per term. *Pleadership class.*—Rupees 50 per term. *Special classes.*—Rupees 12 for each subject provided that the minimum fee shall be not less than Rs. 20 per term.	....	23. Fees shall be levied as under :— *B.L. classes.*—First year Rs. 75 per term ; second year Rs. 100 per term. *Pleadership class.*—Rupees 50 per term. *Special classes.*—Rupees 12 for each subject provided that the minimum fee shall be not less than Rs. 20 per term. 23. *Fees shall be levied as under :—* *B.L. classes.—First and second years, Rs. 75 for first term and Rs. 50 for second term of each year ; third year Rs. 100 for first term and Rs. 75 for second term.* *Pleadership class.—Rupees 50 per term.* *Special classes —Rupees 12 for each subject provided that the minimum fee shall be not less than Rs. 20 per term.*	*Rule* 23.—The proposal is to make the fees Rs. 125 in the first year, Rs. 125 in the second year and Rupees 175 in the third year or Rs. 425 in all. I should prefer the fees to be fixed at Rs. 90 for the first term and at Rs. 60 for the second or at Rs. 150 for each year making Rs. 450 for the three years' course. I deprecate any increase during the third year over the fees to be paid during the first and second years.
24. Half fees shall be levied from Muhammadans, Uriyas and from all the backward classes or castes specified in article 15 of the Grant-in-Aid Code.	22. Half fees shall be levied from Muhammadans, Uriyas and from all the backward classes or castes specified in article 15 of the Grant-in-Aid Code.	....	24. Half fees shall be levied from Muhammadans, Uriyas and from all the backward classes or castes specified in article 15 of the Grant-in-Aid Code.	....
25. All fees shall be paid in advance.	23. All fees shall be paid in advance.	....	25. All fees shall be paid in advance.	....
26. No refund shall be made except in the case of a student admitted into the first year's B.L. class who has appeared for the B.A. Degree Examination and who, having failed in that examination has to withdraw from the college.	24. No refund shall be made except in the case of a student admitted into the first year's B.L. class who has appeared for the B.A. Degree Examination and who, having failed in that examination, has to withdraw from the college.	....	26. No refund shall be made except in the case of a student admitted into the first year's B.L. class who has appeared for the B.A. Degree Examination and who, having failed in that examination, has to withdraw from the college.	....
27. If a student for sufficient reasons leaves the college during term the controlling authority may return or remit such portion of the fee as may be considered equitable.	25. If a student for sufficient reasons leaves the college during term the controlling authority may return or remit such portion of the fee as may be considered equitable.	....	27. If a student for sufficient reasons leaves the college during term the controlling authority may return or remit such portion of the fee as may be considered equitable.	....

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Rules relating the constitution and working of the Madras Law College—*cont.*

Present rules. A	Proposed rules by the Director with modifications by Government of rule 11. B	Proposed changes by the Principal. C	Proposed changes by the Law College Council. D	Director's remarks. E
Scholarships.	*Scholarships.*	....	*Scholarships.*	Please see paragraph 3 of the covering letter.
28. Two scholarships of the value of Rs. 100 per term shall be awarded annually in the B.L. class on the results of the First Examination in Law. One of the scholarships shall be awarded to the Muhammadan or Uriya student who passes highest in the examination and the other to the student other than a Muhammadan or Uriya who passes highest in the same examination. Provided that if the Morehead scholarship is awarded to either of the students eligible for scholarships under this rule, the corresponding Government scholarship shall be awarded to the student who stands next highest in the examination. In cases in which students are bracketed equal, the Principal shall decide to whom the scholarship shall be awarded.	26. Two scholarships of the value of Rs. 100 per term shall be awarded annually in the B.L. class on the results of the First Examination in Law. One of the scholarships shall be awarded to the Muhammadan or Uriya student who passes highest in the examination and the other to the student other than a Muhammadan or Uriya who passes highest in the same examination. Provided that if the Morehead scholarship is awarded to either of the students eligible for scholarships under this rule, the corresponding Government scholarship shall be awarded to the student who stands next highest in the examination. In cases in which students are bracketed equal, the Principal shall decide to whom the scholarship shall be awarded.		28. Two scholarships of the value of Rs. 100 per term shall be awarded annually in the B.L. class on the results of the First Examination in Law. One of the scholarships shall be awarded to the Muhammadan or Uriya student who passes highest in the examination and the other to the student other than a Muhammadan or Uriya who passes highest in the same examination. Provided that if the Morehead scholarship is awarded to either of the students eligible for scholarships under this rule, the corresponding Government scholarship shall be awarded to the student who stands next highest in the examination. In cases in which students are bracketed equal, the Principal shall decide to whom the scholarship shall be awarded. *28. Two scholarships of the value of Rs. 100 per term shall be awarded annually in the S.L. class on the results of the First Examination in Law, one of the scholarships shall be awarded to the Muhammadan or Uriya student who passes highest in the examination and the other to the student, other than a Muhammadan or a Uriya, who passes highest in the same examination. In cases in which students are bracketed equal, the Principal shall decide to whom the scholarship shall be awarded.*	Please see paragraph 3 of the covering letter.
29. The scholarships shall be tenable for one year.	27. The scholarships shall be tenable for one year, and are payable in the middle of each term.	....	29. The scholarships shall be tenable for one year, and are payable in the middle of each term.	Please see paragraph 3 of the covering letter.
30. A scholar shall be required to attend at least three-quarters of the lectures delivered to the final year class during the tenure of his scholarship; he shall also be required to attend and to pass all class examinations held during the year and to appear for examination for the Degree of Bachelor of Laws at the close of his course.	28. A scholar shall be required to attend at least three-quarters of the lectures delivered to the final year class during the tenure of his scholarship; he shall also be required to attend and to pass all class examinations held during the year and to appear for examination for the Degree of Bachelor of Laws at the close of his course.	....	30. A scholar shall be required to attend at least three-quarters of the lectures delivered to the final year class during the tenure of his scholarship; he shall also be required to attend and to pass all class examinations held during the year and to appear for examination for the Degree of Bachelor of Laws at the close of his course. *30. A scholar shall be required to attend at least three-quarters of the lectures delivered to the second year class during the tenure of his scholarship; he shall also be required to attend and to pass all class examinations held during the year and to appear for the Second Examination in Law at the close of his course.*	Please see paragraph 3 of the covering letter.
31. The scholarships shall be awarded by the Principal. They are liable to be reduced or withdrawn for misconduct, idleness or want of progress.	29. The scholarships shall be awarded by the Principal. They are liable to be reduced or withdrawn for misconduct, idleness or want of progress. Each scholarship holder shall bind himself by a written covenant to be approved by the Director (*a*) to place himself under the control of the Principal and of the Professors directing his studies, (*b*) to pursue his studies continuously and diligently during the tenure of his scholarship, (*c*) to hold no appointment carrying a fixed stipend, and (*d*) at the discretion of the Director to refund the amount of scholarships drawn for wilful breach of the abovementioned conditions.	29. *Note.*—I do not think this rule will be of much utility	31. The scholarships shall be awarded by the Principal. They are liable to be reduced or withdrawn for misconduct, idleness or want of progress. Each scholarship holder shall bind himself by a written covenant to be approved by the Director (*a*) to place himself under the control of the Principal and of the Professors directing his studies, (*b*) to pursue his studies continuously and diligently during the tenure of his scholarship, (*c*) to hold no appointment carrying a fixed stipend and (*d*) at the discretion of the Director to refund the amount of scholarship drawn for wilful breach of the abovementioned conditions.	*Rule* 31.—Before the words "bind himself" in this rule may be inserted the words "he shall further". For the word "stipend" may be substituted "salary or allowance".

Hours of Instruction.	*Hours of Instruction.*		*Hour of Instruction.*	
32. The lectures and tutorial classes shall be held between 10 A.M. and 5 P.M. The general scheme of study shall be arranged by the Principal in consultation with the Council, subject to the control of the Director, to whom a copy of the time-table shall be submitted at least ten days before the beginning of the term. No material change shall be made in the time-table or in the general arrangement of college work except under the Director's authority.	30. The lectures and tutorial classes shall be held between 10 A.M. and 7 P.M. The general scheme of study shall be arranged by the Principal in consultation with the Council, subject to the control of the Director, to whom a copy of the time-table shall be submitted at least ten days before the beginning of the term. No material change shall be made in the time-table or in the general arrangement of college work except under the Director's authority.	30. *For* "7" *substitute* "4". Between "shall" and "be held" insert "Ordinarily". *Note.*—Only very exceptionally should lectures or classes be taken after 4, when students and professors alike would be fatigued	32. The lectures and tutorial classes shall ordinarily be held between 10 A.M. and 5 P.M. The general scheme of study shall be arranged by the Principal in consultation with the Council, subject to the control of the Director, to whom a copy of the time-table shall be submitted at least ten days before the beginning of the term. No material change shall be made in the time-table or in the general arrangement of college work except under the Director's authority.	
	College Examinations.			
	31. Every student shall be examined at least three times in the course of the academical year in each of the courses of study. The assistant professors in addition to the lecturing and tutorial work will also value the written answers of the students. Each professor and assistant professor will make a report to the Principal on the results of the class examinations and the Principal in granting the certificates required by Regulation 390 of the University Regulations will be guided by these reports in judging whether the progress made by a student has been satisfactory.	*Note.*—*Omit* whole rule. It stereotypes one particular method out of several for aiding and testing the progress of the student. The professors should bear the burden of examination work equally with the assistants. Three examinations a year is excessive in all subjects—in short courses it is impracticable to have more than one.	(No rule should be made on this subject.)	
Vacations, Holidays and Leave.	*Vacations and Holidays.*		*Vacations and Holidays.*	
33. The college shall be closed for the mid-summer and Christmas vacations for such periods as may be fixed by Government from time to time.	32. The college shall be closed for the mid-summer and Christmas vacations for such periods as may be fixed by Government from time to time.	....	33. The college shall be closed for the mid-summer and Christmas vacations for such periods as may be fixed by Government from time to time.	
34. The casual holidays allowed in Chapter VII of the Educational rules shall apply to this college in so far as its special character may allow.	33. The casual holidays allowed in Rule 88, Chapter VII, of the Madras Educational Rules shall apply to this college in so far as its special character may allow.	....	34. The miscellaneous holidays allowed in Rule 88, Chapter VII of the Madras Educational Rules shall apply to this college in so far as its special character may allow.	*Rule* 34.—The word "casual" may be replaced by the word "miscellaneous".
35. Students may obtain leave of absence in case of illness, or for other good reasons, by application to the Principal.	Cancelled.	....	....	....

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Rules relating the constitution and working of the Madras Law College—*cont.*

Present rules. A	Proposed rules by the Director with modifications by Government of rule 11. B	Proposed changes by the Principal. C	Proposed changes by the Law College Council. D	Director's remarks. E
Certificates.	*Certificates.*		*Certificates.*	
36. *B.L. and Pleadership classes.*—Certificates of attendance which candidates for the First Examination and the B.L Degree Examination Law or for the First Grade Pleadership Examination are required by the regulations to produce shall be issued by the Principal to the students who have satisfied the prescribed conditions.	34. *B.L. and Pleadership classes.*—Certificates of attendance, progress and conduct which candidates for the First Examination and the Degree Examination in Law or for the Pleadership Examination are required by the regulations to produce shall be issued by the Principal to the students who have satisfied the prescribed conditions.	....	35. B L. and pleadership classes —Certificates of attendance, progress and conduct which candidates for the First Examination and the B.L. Degree Examination in Law or for the pleadership examination are required by the regulations to produce shall be issued by the Principal to the students who have satisfied the prescribed conditions. 35. *B.L. and Pleadership classes.—Certificates of attendance, progress and conduct which candidates for the First Examination, the Second Examination and the B.L. Degree Examination or for the Pleadership Examination are required by the regulations to produce shall be issued by the Principal to the students who have satisfied the prescribed conditions*	....
37. *Special classes.*—Students attending the special classes shall, at the end of their course be granted a certificate specifying the subjects in which they received instruction.	35. *Special classes.*—Students attending the special classes shall, at the end of their course, be granted a certificate specifying the subjects in which they received instruction.	....	36. *Special classes.*—Students attending the special classes shall, at the end of their course, be granted a certificate specifying the subjects in which they received instruction.	....
Registers and Accounts.	*Registers and Accounts.*		*Registers and Accounts.*	
38. The following registers shall be kept:— (1) Register of admissions and withdrawals for each class. (2) Register of attendance for each of the courses of study, *i.e.*, a register indicating whether students answer to their names when called in the class. (3) Register of fees and fines for each class. (4) Acquittance roll and pay abstract. (5) Library catalogue and register. (6) Register of scholarships. (7) Register of expenditure on contingencies. (8) Inventory of valuable stock.	36. The following registers shall be kept:— (1) Register of admissions and withdrawals for each class. (2) Monthly register of attendance. (3) Register of fees and fines for each class. (4) Acquittance roll and pay abstract. (5) Library catalogue and register. (6) Register of scholarships. (7) Register of expenditure on contingencies. (8) Inventory of valuable stock.	*Note.*—38 (ii) This seems to have been altered by the Acting Principal in the calendar for 1913-14.	37 The following registers shall be kept:— (1) Register of admissions and withdrawals for each class (2) Monthly register of attendance. (3) Register of fees and fines for each class. (4) Acquittance roll and pay abstract. (5) Library catalogue and register (6) Register of scholarships. (7) Register of expenditure on contingences. (8) Inventory of valuable stock.	The following may be added:— (1) A time-table for each term which is approved by the Director half-yearly. (2) A register of stationery and printed forms. (3) A day book showing the daily transactions relating to receipts and charges.
Miscellaneous.	*Miscellaneous.*		*Miscellaneous.*	
39. The provisions of the Educational rules relating to accommodation and sanitation, common rooms, discipline and dress, shall apply to the college, in so far as its special character permits of their application.	31. The provisions of the Educational rules relating to accommodation and sanitation, common rooms, discipline and dress, shall apply to the college, in so far as its special character permits of their application.	....	38 The provisions of the Educational rules relating to accommodation and sanitation, common rooms, discipline and dress, shall apply to the college, in so far as its special character permits of their application.	....
40. The Principal shall invariably obtain the previous sanction of the Director for any deviation from the prescribed rules.	38. The Principal shall invariably obtain the previous sanction of the Director for any deviation from the prescribed rules.	....	39. The Principal shall invariably obtain the previous sanction of the Director for any deviation from the prescribed rules.	....
41 This Code of Rules with such alterations as may have been sanctioned during the preceding twelve months shall be published every year by the Principal in the first issue of the *Fort St. George Gazette* in June.	39. This Code of Rules with such alterations as may have been sanctioned during the preceding twelve months shall be published every year by the Principal in the first issue of the *Fort St. George Gazette* in May.	....	40. This Code of Rules with such alterations as may have been sanctioned during the preceding twelve months shall be published every year by the Principal in the first issue of the *Fort St. George Gazette* in June.	....

Order—No. 1424, Educational, dated 14th December 1915.

The Government of India will be addressed.

(True Extract.)

C. G. Todhunter,
Acting Secretary to Government.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

No. 1425.

From

The Hon'ble Mr. C. G. TODHUNTER, I.C.S.,
Acting Secretary to the Government of Madras,
Educational Department,

To

The SECRETARY to the GOVERNMENT of INDIA,
Department of Education.

Dated Fort St. George, the 14th December 1915.

Sir,

I am directed to address you again on the subject of the re-organization of the staff of the Madras Law College, in connection with which the sanction of the Government of India was conveyed to a scheme formulated by this Government in Mr. Davidson's letter No. 1100, Educational, dated the 10th December 1912.

The main features of that scheme were the abolition of the post of Vice-Principal, the creation of a post of Curator and a revision of the number and salaries of the Professors and Assistant Professors, together with an alteration of the hours of the college so as to admit of lectures by leading lawyers in active practice before and after the opening of the courts.

The Madras Government have not acted upon this sanction. Upon further consideration of the question, in consultation with the Law College Council, they have come to the conclusion that it was a mistake to attempt to confine the teaching posts to leaders of the bar who would only be able to give a small portion of their time and talents to the college and that at hours which would be inconvenient to the students. They therefore propose, while retaining the additional professorships and assistant professorships (for which an additional reason is found in the extension of the course to three years), to fill them by the appointment of men not yet at the head of the profession who will be able to give the bulk of their time to teaching work. Provision has also been made for special courses by leaders of the bar. In view of this decision they propose to dispense with the proposed post of Curator.

The proposed abolition of the post of Vice-Principal stands unaltered. As the sanction given to this has lapsed with reference to article 293 of the Civil Account Code, I am to request that it may be renewed.

I am to add that necessary provision for the re-organization of the staff exists in the current year's budget and will be made in the budget for the ensuing year also.

I have the honour to be,
Sir,
Your most obedient servant,

C. G. TODHUNTER,
Acting Secretary to Government.

NOTES CONNECTED WITH G.O. Nos. 1424-25, EDUCATIONAL, DATED THE 14TH DECEMBER 1915.

[SUBJECT.—*Revised rules for the constitution and working of the Law College, Madras.*]

Previous papers :

G.O.	26,	*Educational,*	16*th Jan.* 1884.	*G.O.*	550,	*Educational,*	8*th Aug.* 1911.
,,	634	,,	7*th Nov.* 1888.	,,	677	,,	26*th Sep.* ,,
G.Os.	538, 539	,,	26*th Oct.* 1900.	,,	812	,,	18*th Nov.* ,,
G.O.	292	,,	29*th May* 1901.	,,	644,	*Financial,*	6*th Dec.* ,,
,,	447	,,	12*th Aug.* ,,	,,	567,	*Educational,*	28*th June* 1912.
,,	297	,,	15*th May* 1902.	,,	479,	*Financial,*	2*nd Aug.* ,,
,,	483	,,	15*th Aug.* ,,	,,	996,	*Educational,*	12*th Nov.* ,,
G.Os.	763-4	,,	26*th Nov.* 1906.	,,	1099	,,	10*th Dec.* ,,
G.O.	64	,,	7*th Feb.* 1907.	,,	126	,,	12*th Feb.* 1913.
,,	234	,,	21*st April* ,,	,,	224	,,	15*th Mar.* ,,
,,	248	,,	27*th* ,, ,,	,,	297,	*Financial,*	23*rd April* ,,
,,	290	,,	15*th May* ,,	,,	584,	*Educational,*	20*th June* ,,
,,	584	,,	7*th Sep.* ,,	,,	603	,,	27*th* ,, ,,
,,	681	,,	8*th Oct.* ,,	,,	763	,,	18*th Aug.* ,,
,,	117	,,	14*th Feb.* 1908.	,,	1029	,,	10*th Nov.* ,,
,,	118	,,	14*th* ,, ,,	,,	639	,,	29*th May* 1914.
,,	722	,,	7*th Dec.* 1910.	,,	838	,,	16*th July* ,,
,,	739	,,	14*th* ,, ,,	,,	699	,,	30*th June* 1915.
,,	519	,,	31*st July* 1911.	,,	534,	*Financial,*	23*rd Aug.* ,,

From the Director of Public Instruction, dated the 9th May 1913, No. 2225.

The present rules are printed in G.O. No. 677, Educational, dated the 26th September 1911. The Director of Public Instruction does not say whether he has consulted the College Council as regards the alterations. It may however be observed that the revised rules do not introduce any radical alterations. Those that call for remarks are noticed below :—

He has evidently consulted the Principal, and rule 2 hardly requires him to consult the Council, which he controls.

W.F.—12-6-13.

(1) *Rule* 2.—There will be two professors now besides the Principal; hence the substitution of "two college professors" for "junior professor."

The Principal has presumably been secretary to the Council heretofore; and the express provision to this effect now proposed seems desirable.

(2) *Rule* 3 (*b*).—This is a new rule and seems necessary. As observed by the Director, it is desirable that the Council should meet at least once a year. From the notes with G.O. No. 550, Educational, dated 8th August 1911, it will be seen that the Council did not meet at all for several years before.

(3) *Rule* 8.—The proposed alterations are in accordance will paragraph 1 of G.O. No. 224, Educational, dated 15th March 1913.

(4) *Rule* 10.—The Principal's qualifications will remain unaltered under the new rules. This question was not considered in connection with G.O. No. 1099, Educational, dated 10th December 1912, as there was a general agreement about the retention of the Principal in his present status. In April last, Mr. Paul Appaswami, the acting junior professor of the college, pointed out at an interview with His Excellency that there was an inconsistency between the qualifications prescribed for

the Principal and the professors and assistant professors, that while the former is required to be of not less than only five years' standing, the latter is expected to possess twelve and seven years' standing respectively. In the office-note to His Excellency it was stated that the question would be considered when the Director submitted his proposals for the alterations of the rules.

But the Principal has to be a barrister, while the others need only be members of the local bar.

W.F.—12–6–13.

It has therefore now to be considered whether any alteration should be made in the Principal's qualifications. The revised qualifications for professors and assistant professors were suggested by the Hon'ble Mr. P. S. Sivaswami Ayyar and were agreed to by the other Members. The Principal will generally be a barrister * from Great Britain, while it is not unlikely that the two professors will ordinarily be drawn from the local bar. It is for orders whether this circumstance should be taken to justify any disparity in the qualifications. If the same standing as in the case of professors (viz., 12 years) is prescribed for the Principal also, it may not perhaps be easy to persuade a barrister of that standing in England to accept the post. As the recruitment, if made in England, will be by the Secretary of State, it may probably be better not to lay down any qualifications for the Principal in the rules and thus avoid any unnecessary discussion on the question.

Paragraph 5 of his note on page 6 of notes with G.O. 1099, 10th December 1912.

* Please compare Hon'ble Mr. Forbes' note on page 4 of notes with G.O. 64, Educational, 7th February 1907, and the Hon'ble Mr. Krishnaswami Ayyar's note on page 6 of notes with G.O. 519, Educational, 31st July 1911.

This would solve the difficulty and it is always as well for Government to avoid tying its own hands.

W.F.—12–6–13.

Under the original rule 11 the Principal was "debarred from pursuing his profession except in consulting or chamber practice." Under the revised rule 10, he shall "*ordinarily* be debarred" from so doing. The necessity for the word "*ordinarily*" has not been explained and may be omitted, as it has been definitely decided that he should be a full-time officer and is now the only one of the teaching staff of such description.

Please compare the Hon'ble Mr. Forbes' note, 27th January 1907, on page 6 of notes with G.O. 64, Educational, 7th February 1907.

Paragraph 1 of G.O. 224, Educational, 15th March 1913, and paragraph 1 of letter 1100, Educational, 10th December 1912.

"Ordinarily" here would be open to many and various interpretations and is safer a way.

W.F.—12–6–13.

The qualifications for professors and assistant professors follow G.O. No. 224, Educational, dated 15th March 1913.

(5) *Rule* 11.—This rule is proposed in place of original rule 12, which leaves the determination of the duties to the Principal alone. In paragraph 4 of his note on page 6 of notes with G.O. No. 1099, Educational, dated 10th December 1912, the Hon'ble Mr. P. S. Sivaswami Ayyar proposed to fix the number of hours of working for the professors and assistant professors. It was, however, pointed out by the Hon'ble Sir Harold Stuart and agreed to by the Hon'ble Sir John Atkinson that *Government* should not lay down the number of hours of work and that it should be left to the College Council to settle. Please see also the order in Council (clause (iv)) on page 10 of the notes above referred to. In accordance with this decision, it is submitted that the first three sentences of the proposed rule may be omitted. The last sentence alone with the addition of the words "among the members of the staff" inserted after the word "work" may be sufficient.

This throws on the Principal the duty of deciding how long the professors and assistant professors should work. A rule made in this way by the Director of Public Instruction and sent up for sanction of Government does not amount to interference in the same way as a paragraph in a Government order. The present rule leaves these matters to the Principal and he evidently wishes it altered.

W.F.—12–6–13.

(6) *Rule* 15.—The reason for the substitution of "F.L." for "B.L." is not apparent. The whole course of two years goes by the name "B.L. classes". Please see rules 12 and 18 (new numbers). There may be separate admissions for the second year course alone from old students who have passed the F.L. examination not directly from the college. Probably in their case it is not necessary to insist on the date and perhaps the F.L. results will not be published by then. The alteration may be approved.

W.F.—12–6–13.

(7) *Rule* 16.—The necessity for the second sentence of this rule is explained by the Director and there seems to be no objection to the rule. Under article 818 of the Civil Service Regulations the service register will be given up to a non-gazetted officer "if he resigns or is discharged without fault".

(8) The original rule 19 has become unnecessary in consequence of the revised rule 29.

(9) *Rules* 26 *and* 29.—The power to award scholarships has already, under orders of Government, been transferred from the Director to the Principal. Please see G.O. No. 567, Educational, dated 28th June 1912, and No. 996, Educational, dated 12th November 1912. In regard to the last sentence of rule 29, the Director says that it is desirable that the scholarship-holders should execute a bond similar to that enforced in the case of post-graduate students under the Government Scholarship notification. The Director's suggestion may be approved.

(10) *Rule* 27.—By the proposed addition to this rule it is intended to prohibit the laying out of the scholarship money on books. It is doubtful whether such a prohibition against the purchase of books from scholarship money is desirable. The Government scholarships (under the notification) are payable monthly. In the Engineering College which grants a number of scholarships no such provision seems to exist. It is doubtful whether the proposed addition should be approved.

I read it just the other way. The rule would not prevent books being bought, any how. It may stand.

W.F.—12–6–13.

Revised rules in G.O. 996, Educational, 12th November 1912.

(11) *Rule* 31.—The necessity for this rule seems to have been sufficiently explained by the Director. Please see the University Inspection Committee's report on page 5 of G.O. No. 519, Educational, dated 31st July 1911, in which it was recommended that the system of class examinations should be extended and that due consideration should be attached to their results when granting term certificates. The rule may be approved. Under this the Principal and the professors will apparently have nothing to do with the valuation of the written answers of the students.

Please compare also the Hon'ble Mr. Forbes' note on page 8 of notes with G.O. 763, Educational, 26th November 1906.

(12) No reason has been assigned for the proposed omission of the original rule 35 regarding the grant of leave to students. There are separate elaborate leave rules on pages 53 and 54 of the college calendar. In view of these rules it is needless to insist that the old rule should be retained.

(13) *Rule* 34.—The addition to this rule is in accordance with the University Regulation 390 (2).

2. Attention is invited to paragraph 2 of the Director's letter. If any alterations are eventually deemed necessary in the constitution of the College Council, they may be carried out subsequently. The present alterations need not wait for them.

C.R.—11–6–13.

I have noted in the margin. Rules 10 and 11 are the only ones which seem to require any particular consideration.

W. FRANCIS—12–6–13.

I circulate first.

P[ENTLAND]—15–6–13.

Hon'ble Sir John Atkinson.
" Mr. Sivaswami Ayyar.
" Sir Harold Stuart.

W.F.—19–6–13.

The revised rules seem to me to be generally suitable, but I would omit all reference to qualifications in rule 10. I do not think we insert rules about qualifications in the rules of other colleges and they are unnecessary since the appointments are made by the Government.

2. As a matter of courtesy I think the Council should be given an opportunity of expressing their opinion upon the draft of the rules.

H. A. S[TUART]—20–6–13.

I think it is desirable that rule 10 should contain a reference to the qualifications required so that there will be less likelihood of these qualifications being ignored when appointments are made. It is no doubt true that the appointments are made by the Government, but applicants for the posts of professors and assistant professors should know whether they are entitled to apply and would be considered eligible. The qualifications to be laid down were carefully considered last year, and I see no reason whatever for departing from that decision. So far as the assistant professors are concerned, the qualification of seven years' standing was prescribed, because for the appointment of District Munsif a standing of five years is required, and it was considered desirable to require a higher standing for the assistant professorship. It is hardly likely that before seven years a young practitioner will have picked up any practice worth speaking of, or have had opportunities of giving proof of special capacity. If seven years' standing is a reasonable qualification for an assistant professorship, it stands to reason that for a professorship the standing should be higher by a period of about five years. It no doubt looks anomalous that for the Principal's place that a standing of five years only should be required. But the reason is that the Principal is intended to be imported from home and it is not likely that a barrister who had given proof of merit would be willing to come out after twelve years' practice. The solution, however, I think, is to say nothing about the Principal's qualifications, as the appointment will generally be made by the Secretary of State.

2. With regard to the representation of Mr. Paul Appaswami, I think we ought not to be influenced in laying down general rules as to qualifications by the hardship supposed or real to particular individuals. I would therefore stick to the rule.

3. As regards the Principal, I think the word "ordinarily" occurring before the words "be debarred" in rule 10 should be deleted.

4. Draft rule 11 is, I think, altogether wrong and open to several objections. The way in which it has been framed shows the necessity for laying down rules upon the subject. So far as the Principal is concerned, it is not clear how many lectures he will have to give every week. The first sentence of rule 11 may mean either ten hours a week or twelve hours a week according as Saturday is or is not a working day. Twelve hours week would be light work and fifteen hours a week would be none too heavy for a full-time officer. I think we may lay down that it shall not be less than twelve hours a week.

5. As regards the professors and the assistant professors also, the work should be laid down as so many hours a week. The rule that the assistant professors should work not less than ten hours a week is absurd and calculated to defeat the object of the scheme. If the method of recruitment recommended by the Government of India and accepted by us is to succeed at all, the assistant professors should not be required to work more than five hours a week and the professors not more than four hours a week. This will of course be exclusive of any work they have to do in connection with the conduct of examinations or the valuation of answer papers. One important principle we laid down does not find a place here, and that is, that the hours of work should be so arranged as not to interfere with the court work of the professors and assistant professors. I would, therefore, re-cast rule 11 as follows:—

A "The Principal shall deliver not less than 12 lectures each week. The professors shall deliver four lectures a week. The assistant professors will be required to devote five hours a week to lectures and tutorial classes. The distribution of work for each term, etc. . . . . preceding term, provided, however, that the hours of work are so arranged as not to interfere with the court work of the professors and the assistant professors."

6. I do not think that if the rules proposed are issued after consulting the Law College Council, there will be any interference with the authority of the College Council. I would suggest that the draft rules with the amendments I have suggested should be sent to the Law College Council for favour of remarks.

P. S. S[IVASWAMI AYYAR]—25–6–13.

I agree with the Hon'ble Mr. Sivaswami Ayyar.

J. N. A[TKINSON]—26–6–13.

It will be seen from the linked file that the appointments of the new staff of the Law College have been postponed pending the final decision regarding the form of these new rules.

W. FRANCIS—22–7–13.

There is a new factor in the consideration of this subject. The Principal of the College has resigned, and the Secretary of State is on the point of selecting his successor. Further the new session of the College has begun under the existing system. I think therefore that the reorganisation and the rules depending upon it should stand over until the new Principal arrives and is able to advise upon them, and upon the other points remaining for consideration.

P[ENTLAND]—31–7–13.

Recirculated to—

Hon'ble Sir John Atkinson.
" Mr. P. S. Sivaswami Ayyar.
" Sir Harold Stuart.

W.F.—2–8–13.

I do not object to postponement but the Principal's opinion will be of little value until he has held office for a year.

2. I still think that we should not enter the qualifications in the rules. We may thereby deprive ourselves of the services of a brilliant young man who has not the prescribed standing at the Bar.

H. A. S[TUART]—3–8–13.

I do not think the opinion of the new Principal will be of the slightest value with regard to conditions obtaining here. We are in a far better position to judge of these conditions than a Griffin even if he has put in a year in the country. I adhere to the position taken in my note of the 25th June 1913.

P. S. S[IVASWAMI AYYAR]—6–8–13.

I accept His Excellency's proposal.

J. N. A[TKINSON]—7–8–13.

The view of the majority is that the alteration of the rules should lie over. To lie over accordingly for six months.

W.F.—9–8–13.

Demi-official—from C. B. COTTERELL, Esq., I.C.S., Private Secretary to His Excellency the Governor.
To—the Hon'ble Mr. W. FRANCIS, I.C.S., Acting Secretary to Government, Educational Department.
Dated—the 27th December 1913.

Can you say what is the present condition of things as regards the new scheme for staffing the Law College? Mr. Paul Appaswami wants to see His Excellency about the appointment of Junior Professor.

From the notes above it will be seen that it has been decided that the questions relating to the reorganisation of the Law College and the revision of the College rules should stand over until the new Principal is able to advise upon them, and the Secretary in his note, dated 9th August 1913, directed that the papers should lie over for six months, which will expire in February next.

G.O. 1029, Educational, 10th November 1913.

2. The new Principal, Mr. Davies, having been appointed only lately, it will probably be necessary to wait for some longer period.

3. The Private Secretary to His Excellency the Governor may perhaps see the papers with reference to his demi-official above.

B.G.—2-1-14.
C.R.—3-1-14.

W. FRANCIS—3-1-14.

PRIVATE SECRETARY'S OFFICE.

Thanks.

C. B. COTTERELL—7-1-14.

EDUCATIONAL DEPARTMENT.

Seen.

W.F.—9-1-14.

Please see the Secretary's orders supra. The new Principal, Mr. Davies, has been in office for three months. For orders whether the revision of the College rules may be referred to him for remarks, as ordered by His Excellency—vide page 5 supra.

V.N.—16-3-14.
C.R.—17-3-14.

Too soon yet: wait another three months.

W.F.—18-3-14.

PRIVATE SECRETARY'S OFFICE.

Thanks. We may expect Mr. Davies' remarks towards the end of June.

C.B.C.—25-4-14.

EDUCATIONAL DEPARTMENT.

Draft now to Mr. Davies asking him to consider the matter and reply about end of June (by when he will have been six months at the College).

W.F.—27-4-14.

Approved.
W.F.—5-5-14.

Draft submitted for approval. Please see His Excellency's note, dated 31st July 1913, on page 5 of notes. It is directed therein that the scheme of reorganization should also be referred to Mr. Davies for remarks. This is detailed in G.O. No. 224, Educational, dated 15th March 1913. His Excellency also considers that other points remaining for consideration should also be referred to him. As regards the rules, the only important point is the alternative draft of rule 11, suggested by the Hon'ble Mr. Sivaswami Ayyar at **A** on page 4 supra. This may also be referred to him.

These are with G.O. 603, Educational, 27th June 1913.

The nomination for the staff under the reorganization do not seem to be one on which opinions may now be called for.

T.K.—30-4-14.
C.R.—4-5-14.

[Memorandum No. 1573-1, Educational, dated 6th May 1914.]

Demi-official—from the Hon'ble Mr. P. S. SIVASWAMI AYYAR, C.S.I., C.I.E., Member of Council.
To—the Hon'ble Mr. W. FRANCIS, I.C.S., Secretary to Government, Educational Department.
Dated—Ootacamund, the 25th April 1914.

If any proposals are received for additions to the staff of the Madras Law College, or appointments to the Sanskrit staff of the Presidency College, I request you will be good enough to let me have an opportunity of seeing the proposals before orders are passed.

From the Director of Public Instruction, dated the 6th November 1914, *No.* 2225.

The Director of Public Instruction forwards a copy of the remarks by Mr. Davies, present Principal of the Law College, on the scheme for the reorganization of the college and the draft revised rules based thereon. The Director suggests that the opinion of the College Council may be invited on the above. He promises to express his own views, if desired, subsequently.

B (The Director of Public Instruction got the Principal's letter in *June* last and has *now* forwarded them with suggestion to consult College Council and without his own remarks).

2. The Hon'ble Sir Harold Stuart and the Hon'ble Mr. P. S. Sivaswami Ayyar have already suggested that the rules should be sent to the Council for remarks. A draft memorandum asking the Director of Public Instruction to obtain the views of the Council is submitted for approval.

S.A.—10-11-14.
C.R.—10-11-14.

Issue.

P. RAJAGOPALA ACHARIYAR—11-11-14.

[Notice should be taken of the delay indicated at **B** when orders are finally passed.]

[Memorandum No. 3427-1, Educational, dated the 12th November 1914.]

From the Director of Public Instruction, dated the 15th June 1915, *No.* 2225.

The Director of Public Instruction submits the views of the College Council on the draft revised rules and his own remarks thereon. The Council and the Principal do not agree to the reorganization sanctioned * and differ from the Government in other important respects also. Before the rules are examined in detail the essential points will first be considered separately.

* G.O. 224, Educational, 15th March 1913.

2. The two main questions in this connection relate to the professorial staff and the hours of instruction in the college. Both these depend in turn on the question from what field is the recruitment to be made—whether from practitioners of some standing who command decent practice and thus have practical knowledge of their subject, *or* from juniors who could afford to give up their profession to take up almost full-time work in the college. The former was in force in the beginning; then the latter was adopted when the college was made a day college; and in 1911, at the suggestion † of the Government of India and after a considerable discussion of the whole situation, a decision was arrived at in favour of the former, notwithstanding the opinion of the Principal and the College Council to the contrary. The staff was reorganized to suit it and the sanction of the Government of India was obtained for the reorganization. The new Principal and the College Council stick to their original recommendation and request a reconsideration. The position on this point will be plainer from below.

† Page 2 of G.O. 519, Educational, 31st July 1911.

G.Os. 519, Educational, 31st July 1911 and 1099, Educational, 10th December 1912.

Pages 2 and 3 of G.O. 1099, Educational, 10th December 1912.

G.O. 224, Educational, 15th March 1913.

3. Prior to 1910 the teaching staff consisted of a Principal, who was also a senior Professor a junior professor and two assistant professors on Rs. 250 each. Of these, the Principal alone was a full-time officer and the subordinate staff divided their time between the college and the courts. In 1910, it was represented that this system did not work well and the Director of Public Instruction proposed at the instance of the Principal and the College Council that the two posts of assistant professors should be made full-time ones, their salary being raised to Rs. 250—25—400 each. The Government approved this proposal and applied to the Government of India for sanction.

Please see paragraph 2 of letter 723, 7th December 1910.

Page 2 of G.O. 722, 7th December 1910.

Letter 723, 7th December 1910.

That Government in their letter No. 293, dated the 27th February 1911, observed as follows :—

"So far as the Government of India are aware, the present system of appointing part-time lecturers in law has worked well elsewhere. It possesses the advantage of securing the services of good practising lawyers without involving any pensionary charges and of enabling the Government to make changes in the staff from time to time should this be deemed desirable. The Government of India are inclined to doubt whether the pay proposed for the whole-time assistant professors of law would attract the best qualified lawyers; and they fear that, even should it do so, the incumbents will fall out of touch with the practical side of the legal profession. In this connection I am to invite the attention of the Governor in Council to paragraph 121 of the report of the Indian Universities Commission, 1902. The Commission comtemplated the employment of half-time instructors as the only arrangement likely to secure the services of men possessing a thoroughly practical knowledge of their subject."

Paragraph 2, page 2 of G.O. 519, Educational, 31st July 1911.

It was suggested by that Government that the question should be reconsidered in the light of the above remarks. They added at the same time that, if the Local Government still preferred their own scheme, no objection to its introduction would be raised.

Paragraph 3, page 2 of G.O. 519, Educational, 31st July 1911.

4. The above suggestions were communicated to the Director of Public Instruction and he was asked to submit a special report on the whole position of the Law College in consultation with the Principal and the Council of the College. The Government also expressed their leaning to the appointment of half-time professors, their salaries being fixed at such rates as would attract the services of men of distinction in the legal profession. The late Hon'ble Mr. V. Krishnaswami Ayyar, who principally shaped the above decision, noted in that connection as follows :—

G.O. 519, Educational, 31st July 1911.

". . It has neither the benefit of really full-time teachers nor the full advantage of a half-time staff in close touch with the practice of the profession, neither of the assistants had any success in the profession when he was appointed. The students regard them as briefless juniors who having failed in the profession have accepted the role of teachers . . ".

Paragraph 2, page 5, of notes with G.O. 519, 31st July 1911.

"I would suggest a staff consisting of a principal and three professors without any difference in rank amongst the professors *inter se*. I would give them all liberty to practise. It is only in this way that a principal or professors of good legal attainments and ability to instruct can be secured. The moment that this liberty is denied we have to go down very much in the scale for the selection of a teacher. . . I regard it therefore as a first condition of the success of the institution that the principal and the professors should each have liberty to practise. . . The professors can be secured from the practising lawyers in the profession *who are almost at the top of the Bar*. It will be remembered that Sir Bhashyam Ayyangar and Mr. Ramachandra Rao Saheb were leading lawyers when they accepted the professorships of law before the days of the Law College. The attendance of the students at the college should be so arranged as to enable the professors to give their lectures without prejudice to their professional duties. If each of the three classes (and sometimes there are only two when the pleadership class sits with one or the other of the college classes) will attend from 10 to 11 in the morning and 5 to 6 in the evening, the teachers will have no inconvenience in doing their professional work. It may be even more convenient if all the classes can be held from 5 to 7 in the evening. . ."

Paragraph 4 *ibid.*

5. In his report on the subject submitted in April 1912, the Director suggested that the staff should consist of a principal, two professors and four assistant professors. He also reported that the principal and the council were of opinion that the working of the college should continue to be from 10 A.M. to 4 P.M., and that the professors and assistant professors should be allowed to practise in the court in such a way that their practice should not interfere with their college duties and that such practice was feasible In dealing with these proposals. the Hon'ble Sir P. S. Sivaswami Ayyar, who was of the same mind in this matter as the late Hon'ble Mr. V. Krishnaswami Ayyar, strongly advocated the acceptance of the suggestion of the Government of India that only good practising lawyers in daily touch with the profession should be secured for the professorships. In this regard he elaborately laid down in his note, dated the 1st July 1912, the hours of attendance, the periods of work, the distribution of subjects, the qualifications and standing of the staff, etc. These views were generally concurred in by His Excellency and the other Members of the Government.

Page 2 of G.O. 1099, Educational, 10th December 1912.

Pages 4 to 6 of notes with G.O. 1099, 10th December 1912.

Pages 5 and 6 of notes with G.O. 1099, 10th December 1912.

Page 14 *ibid.*

The Hon'ble Sir Harold Stuart also observed—

"In England they do not have whole-time men to lecture at the Inns of Court, and a man who is in touch with legal business is likely to give more 'live' lectures."

The Government of India were accordingly informed in Letter 1100, Educational, dated the 10th December 1912, that the proposal to appoint full-time lecturers had been abandoned and that it had been decided to maintain the existing system of half-time instructors with a view to secure the services of men of distinction at the bar and in active practice. Sanction of that Government was accordingly applied for for the following revised scale of staff with improved emoluments :—

	Rs.
One principal	1,000–25–1,250
Two professors (to be of twelve years' standing) ..	500 each
Six assistant professors (to be of seven years' standing)	250 ,,
Curator	200

This sanction was received in 1913 and communicated in G.O. 224, Educational, dated the 15th March 1913.

6. Mr. Davies' objections to the above system of recruitment of the professorial staff are as follows :—

(1) As the aim of the college is to improve the instruction in the *theory* of law so as to give greater prominence to scientific principles and less to practical training, and as half the subjects for the full B.L. course are such as require theoretical knowledge rather than practical experience, a man of 12 years' standing is on the whole less likely to be a good lecturer in "Roman Law or the English Law of Real Property" than the man, who has *just* taken a good degree in those subjects, who can more easily adapt himself to the new line of lecturing and who can have more sympathy with students and their difficulties.

(2) Lecturing and practising in court though akin are by no means identical arts.

(3) Successful practitioners can give only wearied hours to work at the college.

(4) They have frequent engagements in the mufassal and at Madras, their time between 10 and 11 and 5 and 6 is frequently truncated, and they have no time for study and preparation.

(5) In England the almost universal practice is to appoint young men as tutors and teachers at school and college immediately after they are graduated.

7. As regards the hours of instruction, the chief of the reasons urged by Mr. Davies against holding classes after 5 P.M. are—

(i) that work from 5 to 7 is bad for the students, as they are hours when the brain is least active and most easily fatigued,

(ii) that the only time that healthy exercise and recreation can be taken will be robbed from the students and the athletic life of the college will cease entirely,

(iii) that three hours a day is a quite insufficient time for the necessary amount of lectures and classes ; and

(iv) that in the old days of evening classes the full B.L. course took three years and not two.

8. The points now for consideration are—

(*a*) whether the practising lawyers of distinction at the bar are actually needed,

(*b*) whether they will be able to discharge their duties by the students efficiently, and

(*c*) whether the students should be put to the inconvenience of working beyond the usual hours.

As regards the first point, it may be observed as an additional argument in favour of appointing good practising lawers that under the new * curriculum several subjects requiring practical knowledge have been introduced, such as the Civil and Criminal Procedure Codes, the Limitation Act, the Madras Estates Land Act, the Revenue Recovery Act, the Easements Act, the Succession and Hindu wills Acts, etc. With the introduction of these subjects, the "aim" referred to by the Principal has been very largely altered, and there can be little doubt that only lawyers with considerable experience can handle these subjects well. Even under the existing curriculum, there are subjects like the Hindu and Muhammadan Laws, the Transfer of Property and Contract Acts, which will demand practical experience in the professor who is to handle them. Mr. Davies himself states in another connection that in tutorial classes the discussion of the principles and their working out in actual cases should be the main purpose of the tutor. For this purpose men who have had some actual practice would appear to be more suitable than raw young men fresh from college. Even as regards the theory portion, the experience of the older days showed that practising lawyers were not incapable of dealing with it. Similarly past experience does not support the Principal's arguments that busy lawyers could not do justice to their work. Sir V. Bhashyam Ayyangar, Mr. V. Krishnaswami Ayyar, Mr. C. Ramachandra Rao Saheb, and the Hon'ble Sir P. S. Sivaswami Ayyar had been professors in the college. There appears therefore to be little doubt about the benefit which the college would derive if leading practitioners are appointed on the professorial staff. The position that fresh degree holders could do as well does not seem to be unassailable. The only point seems to be that it should be made worth their while to undertake the work.

* Which has just been approved, under which the course has been altered from *two* to *three* years, with other changes.

As regards the practice in England, the statement made by the Principal is at variance with that recorded by the Hon'ble Sir Harold Stuart. Apparently the former is referring to Arts Colleges and Schools and not to Inns of Courts.

9. There is no denying the fact that students will be put to some inconvenience by not being required to keep the usual hours of attendance. But the question is whether they should not make a sacrifice to have the benefit of lectures by experts. The Principal objects to the proposal on the ground that it is more in the interests of professors than of students. No doubt the convenience of professors has to be consulted if we are keen about having them ; and at the same time it is equally in the interests of the students to engage capable practitioners. It was already pointed out by the Hon'ble Sir P. S. Sivaswami Ayyar that the difficulties referred to by the Principal, of the students being required to attend for larger number of hours with considerable interval between lectures or classes, could be considerably minimised by the arrangement of classes in such a way that students would not be required to be in the college throughout the day. It was also suggested that classes might be held on Saturday mornings as before and this would increase the number of hours of instruction. The other argument

Paragraph 2, page 5 of notes with G.O. 1099, Educational, 10th December 1912.

advanced by Mr. Davies, that with the course of two years the subjects could not be finished with only morning and evening classes, has not much force now, as the course has been extended to three years, though with the addition of a few subjects.

In these circumstances, it is for consideration whether the original decision should be upheld or whether the hours should be fixed at 10 to 4 and special qualifications for staff omitted.

C.R.

Secretary's note.

I don't think the office have quite appreciated Mr. Davies's point. There is no question now between full-time and part-time teachers and the quotations on that head are irrelevant. Nor is it a question between leaders of the bar and "raw young men fresh from college". Mr. Davies wants to secure the rising men and objects to Government tying their own hands by prescribing fixed minimum periods of practice. He is supported by a very strong * council most of whom have had practical experience as students or teachers or both. I think there is a great deal in his case which, so far as I know, follows the English practice. You cannot get a real leader, who is making his thousands, to tie himself to lecture so many hours a week for a few hundreds. What you can get him to do is to give special lectures, for which there is special provision. For the more regular work you get the coming leader who is glad of a retainer until the briefs come in and the "brilliant young man" of Sir Harold Stuart's note at page 5. He serves his term and goes on to higher things except in the rare cases in which he finds that teaching suits him better as a profession. Meanwhile he is undoubtedly more in sympathy with the students and much more ready to take part in the corporate life of the college than an older man would be. On the other hand, with leaders' incomes ruling as they do, the imposition of a rigid minimum might result in Government being able to secure only elderly mediocrity, the pay being insufficient to attract the leaders that are, while the rule barred the leaders that will be. The proposed rule would have barred Sir V. Bhashyam Ayyangar, who was appointed a professor eleven years after enrolment, and Mr. V. Krishnaswami Ayyar, who became an assistant professor before he had completed seven years' practice. Sir P. S. Sivaswami Ayyar was appointed the year after he had completed the required term. Sir William Anson became Vinerian Reader five years after he was called. It is submitted that, since Government appoint, no harm can result from the omission of the limit, whilst its retention may result in the exclusion of desirable persons.

* Sir John Wallis.
Mr. Justice Tyabji.
Mr. Justice Napier.
Mr. Justice Sadasiva Ayyar.
Mr. Justice Oldfield.
M.R.Ry. S. Srinivasa Ayyangar Avargal.
M.R.Ry. Paul Appaswami Avargal
Mr. Arthur Davies.

It might here be added that the Universities Commission recommended that Judges should also be eligible for professorships. The rule might perhaps be extended so as to include them. One or other of the Judges of the Small Causes Court or City Civil Court might make quite as efficient a teacher as a practising lawyer.

The real difficulty is as to the hours. There is an objection to every hour that can be suggested outside the working hours of 11 to 5. Within those hours leading practitioners will not attend. It is impossible to do justice to the college with lectures from, say, 10 to 11 and again from 5 to 6. The Principal single-handed cannot cope with 500 students from 11 to 5. The only solution of the difficulty seems to be to employ, at any rate as assistant professors, men who will give up at least three hours a day to lecturing, tutorial classes for junior students or private work (in their own chambers if necessary) with the seniors.

It might perhaps also be considered whether the college should not be in session during the vacation when the professors would be able to give all their time to it.

C. G. TODHUNTER—28-7-15.

10. The rules will now be examined. The alterations are not many and those which need consideration are noted below.

11. *Existing rule—*

"2. Subject to the control of the Director of Public Instruction the general management of the College is vested in a Council which shall consist of two or more Judges of the High Court, one of whom shall be President, the Principal, the Junior Professor, and such other members as may be appointed by the Government."

Rules proposed by the College Council.

"2 Save as hereinafter provided the general management of the College shall be vested in the Director of Public Instruction."

"3. There shall be a Law College Council consisting of two or more Judges of the High Court, one of whom shall be President, the Principal, the two College Professors, and such other members as may be appointed by the Government. The Principal shall *ex-officio* be the Secretary to the Council. The Council shall be consulted (1) in all matters regarding the general organization of the College, substantial changes in the curriculum or the hours of work, and (2) in such other matters as the Director of Public Instruction may desire."

Office-note.

According to the existing rules the general management is vested in the Council. The Council now desires that it should be consulted only in matters regarding the general organization of the college, substantial changes in the curriculum or the hours of work and in such other matters as the Director of Public Instruction may desire. The general management it would leave to the Director. The Council's suggestion seems generally acceptable. In rule 8 the Council has proposed that the appointment of the members of the staff should be made on its recommendations. This will therefore be an additional function of the Council.

Secretary's note.

I would substitute for (2) "in such other matters, including the nomination of members of the staff, as Government or the Director of Public Instruction may desire." As the Director of Public Instruction points out, under rule 8 it is not desirable that Government should bind themselves to appoint only persons recommended by the Council.

C. G. TODHUNTER—28–7–15.

12. *Existing rule—*

"8. The staff shall consist of a Principal who shall also be Senior Professor, a Junior Professor and not less than two assistant professors."

Rule proposed by the College Council.

"9. The staff shall consist of a Principal, two professors and six assistant professors. The members of the staff will be appointed by Government on the recommendation of the Council."

Office-note.

The staff referred to in this rule is the same as that sanctioned under the reorganization in G.O. No. 224, dated 15th March 1913. It is now proposed to retain the whole staff though the main points of reorganization, viz., the employment of leading practitioners and the holding of the classes outside usual college hours are not approved. The existing scale of staff was considerably added to, in view of the fact that practising lawyers could not devote as many hours for lecture and class work as full time staff. Though under the present Principal's scheme the staff will be allowed to practise, they will almost be full time men and can therefore devote more time for the College. If so the staff should be capable of reduction.

In this connection attention is invited to the Director of Public Instruction's letter No. 2225, dated 27th April 1914, in which he submitted to Government the Principal's proposal to increase the number of assistant professors so as to divide classes into larger number of sections with fewer students in each (of about 20 or so). This was remitted for incorporation if need be in the present proposals. Nothing is

In G.O. 639, Educational, 29th May 1914.

now said specifically about the above proposal. The object of retaining the reorganization scale even now is apparently to give effect to this scheme of splitting up classes into very small sections. Attention is invited to notes with G.O. No. 639, dated the 29th May 1914, in which the question of the necessity for this step is discussed. It is for consideration whether the staff proposed should be retained irrespective of the decision on the point of recruitment and hours of instruction dealt with on pages 8 to 11 supra.

Mr. Duncan takes exception to the addition * proposed on the grounds that the Director who is made responsible for the management and discipline of the college would have no voice in making suggestions in the matter of appointments and that under the rule no appointment can be made by Government unless the Council recommends a person to fill the post. He suggests that the word "on" may be replaced by the phrase "after taking into consideration". This may be accepted.

* Underlined in the proposed rule on page 12 supra.

Secretary's note.

I don't think it is correct to say that the Principal proposes that the staff should "almost be full-time men". In fact, in his proposals of May 1914, he outlined a scheme which provided for only 98 hours a week divided among a staff of seven. Supposing he did four hours a day himself and the rest of the staff three hours on Saturdays, this would only require their presence for one hour a day on other days. As I have said on page 11 I think that the assistant professors at least should be ready to give at least three hours a day to lecturing, classes or private tuition, that is about one-third of a day's work.

Page 3 of G.O. 639, Educational, 29th May 1914.

The Director of Public Instruction's objection to the wording of the latter part of the rule has been dealt with under rule 2. The reference to the recommendation of the Council may be omitted in this rule and rule 9.

C. G. TODHUNTER—28–7–15.

13. *Existing rules.—*

"10. The Principal shall be a graduate of a University and a Barrister-at-Law of not less than five years' standing. The Junior Professor and Assistant Professors shall ordinarily be graduates of a University and shall be either Barristers-at-Law of not less than three years' standing or Vakils of the High Court of Madras of not less than five years' standing. The special lecturers shall possess such qualifications as may be considered necessary for the special duties they have to perform."

"11. The Principal and the Junior † Professor shall devote their whole time to the work of the College and shall be debarred from pursuing their profession except in consulting or chamber practice."

† The present Junior Professor is permitted to practise in Madras City.

Rule proposed by the College Council.

"11. The Principal shall be a graduate of a University and a Barrister-at-Law of not less than five years' standing. He shall devote his whole time to the work of the College and shall be debarred from pursuing his profession except in consulting or chamber practice. The Professors and Assistant Professors shall be at liberty to practice."

Note.—This rule need not apply to an Acting Principal.

Office-note.

Mr. Davies himself proposes that the Principal should not practise at any time with the remainder of the staff as part-time men. This proposal has been accepted by the Council and may be approved—please see paragraph 1 (4), page 1 supra.

The new note exempting an Acting Principal from this rule may also be accepted.

It has already been decided not to fix any qualification for the Principal, as the appointment will generally be made by the Secretary of State. The first sentence may therefore be omitted and the words "The Principal" substituted for "He" at the beginning of the second sentence. The question of qualifications of the other professorial staff is dealt with on pages 8 to 11 supra.

Another question is whether these qualifications even if fixed should be incorporated in the rules. The Hon'ble Sir P. S. Sivaswami Ayyar and the Hon'ble Sir John Atkinson were for its introduction and the Hon'ble Sir Harold Stuart was against it. Please see notes on pages 4 and 5 above.

Secretary's note.

I submit that it is sufficient to embody in the rules the following :—

"The Principal shall devote his whole time to the work of the College and shall "be debarred from pursuing his profession except in consulting or chamber practice. "But this restriction shall not apply to an officiating Principal. The professors and "assistant professors shall be at liberty to practice."

C. G. TODHUNTER—25–7–15.

14. *Existing rule.*—

"12. The duties of the professors, assistant professors and special lecturers shall, from time to time, be determined by the Principal."

Rule originally proposed by the Director.

"11. The Principal shall deliver two lectures each working day. The professors shall deliver each one lecture every working day of the college. The assistant professors shall deliver lectures and hold tutorial classes for ordinarily not less than ten hours a week. The distribution of work for each term shall be settled by the Principal in consultation with the *College Council* and announced before the end of the preceding term."

Alternative draft of rule 11 *suggested by Government.*

"The Principal shall deliver not less than twelve lectures each week. The professors shall deliver four lectures a week. The assistant professors will be required to devote five hours a week to lectures and tutorial classes. The distribution of work for each term shall be settled by the Principal in consultation with the College Council and announced before the end of the preceding term, provided, however, that the hours of work are so arranged as not to interfere with the Court work of the professors and assistant professors."

Rules now proposed by the College Council.

"12. The duties of the Professors, assistant professors and special lecturers shall from time to time be determined by the Principal."

"13. The distribution of work for each term shall be settled by the Principal in consultation with the professors and assistant professors of the college and announced before the end of the preceding term."

Office-note.

Rule 11 proposed by the Director of Public Instruction is in place of the existing rule 12 which leaves the determination of the duties of the staff to the Principal alone. Both the Principal and the Council propose the retention of the existing rule 12; and the former would also obtain the approval of the Director of Public Instruction in regard to the duties of the staff. Submitted that the existing rule 12 may be retained as it is as proposed by the Council.

The existing rules do not contain any provision for the number of lectures and classes to be given by each member. The Director of Public Instruction originally proposed to fix the number and the Hon'ble Sir P. S. Sivaswami Ayyar was also of opinion that the work should be laid down as so many hours a week and suggested an alternative to the rule as framed by the Director. Mr. Davies and the College Council are not in favour of fixing the limit of work. Their opinion coincides with those expressed by the Hon'ble Sir Harold Stuart and Sir John Atkinson in 1912. For orders whether the reference to the number of lectures and classes should be retained.

Please see item (6) in the tabular statement on page 15 of notes with G.O. 1099, 10th December 1912.

As regards the distribution of work the Director of Public Instruction in his original draft suggested that it should be made in consultation with the College Council. The Principal now reports that the Council are unwilling to do this work and suggests that it is better done in consultation with the Professors and Assistant Professors. The Principal's proposal may be accepted.

Secretary's note.

The opinion of the Council carries much weight and I think their draft may be accepted.

C. G. TODHUNTER—25–7–15.

15. *Existing rule*—

"17 The Principal may refuse admission to any candidate whose previous conduct has not been satisfactory. His order shall be subject to appeal to the Director, whose decision shall be final."

Rule proposed by the College Council.

"18. The application for admission shall also be accompanied by the transfer certificate referred to in Regulation 385 of the University Regulations. In the case of an applicant who has been previously employed, the application shall also be accompanied by a certificate of good conduct from the head of the office where he was employed, and in the case of an applicant who was at any time in Government service the register of such service shall also be produced if so required by the Principal. The Principal may refuse admission to any candidate whose previous conduct has not been satisfactory. His order shall be subject to appeal to the Director whose decision shall be final."

Office-note.

The Principal suggests the omission of the first sentence referring to transfer certificates. The Council is, however, in favour of its retention. These certificates are, as stated in the rule, required with reference to University Regulation No. 385; and it seems desirable to retain reference to it.

Secretary's note.

I understand that the Council propose to retain existing rule 17 as a sub-paragraph of their new rule. With this addition the above rule may stand.

C.G.T.—25–7–15.

16. *Existing rule*—

"23. Fees shall be levied as under :—

B.L. classes.—First year Rs. 75 per term; second year Rs. 100 per term.

Pleadership class.—Rs. 50 per term.

Special classes.—Rs. 12 for each subject, provided that the minimum fee shall be not less than Rs. 20 per term."

Rule proposed by the College Council.

"23. Fees shall be levied as under :—

B.L. classes.—First and second years, Rs. 75 for first term and Rs. 50 for second term of each year; third year Rs. 100 for first term and Rs. 75 for second term.

Pleadership class.—Rs. 50 per term.

Special classes.—Rs. 12 for each subject provided that the minimum fee shall be not less than Rs. 20 per term.

Director's remarks.

"23. The proposal is to make the fees Rs. 125 in the first year, Rs. 125 in the second year and Rs. 175 in the third year or Rs. 425 in all. I should prefer the fees to be fixed at Rs. 90 for the first term and at Rs. 60 for the second or at Rs. 150 for each year making Rs. 450 for the three years' course. I deprecate any increase during the third year over the fees to be paid during the first and second years.

Office-note.

The existing scale of fees is compared below with those proposed by the College Council and the Director for the three years' course :—

Year.	Existing scale.	Scale proposed by the	
		College council.	Director of Public Instruction.
	Rs.	Rs.	Rs.
First year	75 + 75	75 + 50	90 + 60
Second year	100 + 100	75 + 50	90 + 60
Third year	*Nil.*	100 + 75	90 + 60
Total ..	350	425	450

Prior to 1902 when the course extended to three years the total fee for the whole course amounted to Rs. 300. On the reduction of the course to two years, the total fee was raised to Rs. 350 in order to secure more fully the financial equlibrium of the college which was till 1901 working at a loss. During 1912–13, 1913–14 and 1914–15 the college worked at a profit of Rs. 56,307, Rs. 48,136 and Rs. 45,456 respectively. If the additional establishment already sanctioned is fully employed, an expenditure of about Rs. 16,800 will have to be incurred in addition. Assuming that no further staff will have to be employed for the three years' course, it is observed that the college will still work at a profit and that there would not appear to be a case for largely enhancing the total fee income as proposed. For orders as to what rate should be adopted.

Paragraph 2 of Director of Public Instruction's letter on page 2 of G.O. 483, 15th August 1902.

Secretary's note.

We might perhaps meet the two objections taken to the Council's scale by making the fee Rs. 75 + 50 for each of the three years.

C. G. TODHUNTER—25–7–15.

17. *Existing rule*—

"28. Two scholarships of the value of Rs. 100 per term shall be awarded annually in the B.L. class on the results of the First Examination in Law. One of the scholarships shall be awarded to the Muhammadan or Uriya student who passes highest in the examination and the other to the student other than a Muhammadan or Uriya who passes highest in the same examination. Provided that if the Morehead scholarship is awarded to either of the students eligible for scholarships under this rule, the corresponding Government scholarship shall be awarded to the student who stands next highest in the examination. In cases in which students are bracketed equal, the Principal shall decide to whom the scholarship shall be awarded."

Rule proposed by the College Council.

"28. Two scholarships of the value of Rs. 100 per term shall be awarded annually in the B.L. Class on the results of the First Examination in Law. One of the scholarships shall be awarded to the Muhammadan or Uriya student who passes highest in the examination and the other to the student, other than a Muhammadan or a Uriya, who passes highest in the same examination. In cases in which students are bracketed equal, the Principal shall decide to whom the scholarship shall be awarded."

Office-note.

The Director of Public Instruction suggests that the two college scholarships might be made tenable in the third year course also with reference to the results of the Second Law examination. If this course, which entails an additional expenditure of Rs. 400 per annum, is considered not feasible on financial grounds, he is of opinion that the number of scholarships may be reduced to one. Of the two existing scholarships one is meant for a Muhammadan or Uriya student and the other for others. Submitted that it does not appear desirable to reduce the number of scholarships or to discontinue in the third year course. The remarks of the Financial Department may be invited. The amount involved is small and the college works at a profit.

Secretary's note.

The proposal of the Director of Public Instruction may be adopted and rules 29 and 30 amended accordingly if Financial do not object. No reason is given for the omission of the proviso which finds place in the existing rule.

C.G.T.—25–7–15.

18. *Rule proposed by the Director*—

"31. Every student shall be examined at least three times in the course of the academical year in each of the courses of study. The assistant professors in addition to the lecturing and tutorial work will also value the written answers of the students. Each professor and assistant professor will make a report to the Principal on the results of the class examinations and the Principal in granting the certificates required by regulation will be guided by these eports in judging whether the progress made by a student has been satisfactory."

Office-note.

The necessity for this rule is explained by the Director to be the need of impressing the importance of class examinations on the students who consider themselves entitled as a matter of right to the term certificate if they put in three-fourths of their attendance. In paragraph 1 (11) of the office-note on page 3 *ante* it was suggested by the office that this rule may be approved. The Principal * is against fixing the number of class examinations for each course. The College Council agrees with him. As the term certificate already contains a provision that the progress and conduct of the student are satisfactory, it is natural that the examinations will be taken into consideration for determining the progress. No special provision seems thus necessary As regards the number of examinations to be held in each course it may perhaps be better to leave the matter to the Principal and the professors.

* His remarks are—

"It stereotypes one particular method out of several for aiding and testing the progress of the student."

"Three examinations a year is excessive in all subjects. In short courses it is impracticable to have more than one."

Secretary's note.

We might perhaps have a general rule that students are expected to attend such class examinations as may from time to time be prescribed by the Principal and that failure to do so without good reason will entail forfeiture of the term certificates. This would strengthen the Principal's hands without tying him down too much.

C. G. TODHUNTER—25–7–15.

19. All the alterations in the rules are detailed in the tabular statement placed below. Besides those referred to above all the others are of minor importance:—

Rules 4, 15, 18, 20, 22, 24 to 27, 37, 39 to 41.	No alterations.
Alterations in rules 13 and 36	Necessitated by the extension of the B.L. course to three years.
Alterations in rules 6, 9 and 30	Consequential on modification in Nos. 2, 8 and 28 respectively
Alterations in rules 1, 5, 7, 14, 16, 21, 33, 34 and 38.	Verbal.
Alterations in rules 3, † 29 ‡ and 31 § and the ‖ omission of existing rule 35.	Have already been accepted in the previous notes.

† Paragraph 1 (2), page 1 ante.
‡ Paragraph 1 (10), page 3 ante.
§ Paragraph 1 (9), page 3 ante.
‖ Paragraph 1 (12), page 3 ante.

It is submitted that all these may be accepted.

20. The Principal and the College Council see no need for the Curator if an intelligent graduate is appointed as Librarian. This view is the sequel to the proposal to stick to the usual hours, and not to employ busy lawyers. If the staff is to consist entirely of men in busy practice none of whom could aid the Principal in the discharge of various miscellaneous duties such as the purchase of books, arrangements for moots, superintendence of the welfare of students, etc. Mr. Davies would wish to retain the Curator. If the Principal's recommendations in regard to the nomination to the posts of professors and assistant professors are approved, there may perhaps be no need for a separate Curator. The Curator was intended to be in direct charge of the library and its contents and to superintend the students working in the library. The decision of this question of Curator will depend upon the main question referred to above.

Paragraph 1 of letter 1100, 10th December 1912.

S.A.—10–7–15.

C.R.—10–7–15.

If the Principal has his full staff of eight Professors and they are of the right sort, they will give much more than their limited number of hours to the students and a Curator will not be necessary. There is no reason why a committee of students with a Professor at the head should not look after the library.

A complete redraft of the rules embodying all the alterations made, verbal or other, will be put up as soon as orders are received on the points noted on above.

His Excellency and circ.

(To go to Financial later).

C. G. TODHUNTER—27–5–15.

I attach a note prepared for me by Mr. Stokes which in summing up the position expresses generally my views on the main question. I would adopt the scheme advocated by the present and past Principals of the Law College which has, I am informed, the strong support of the Law College Council.

P[ENTLAND]—30–8–15.

There are three possible ways of staffing the Law College :

(*a*) by a completely whole-time staff ;

(*b*) as proposed by Government in 1913 by a whole-time Professor assisted by a staff drawn from the so-called leaders of the bar who will give to their duties as Professors or Assistant Professors only such of their time as they can spare from their profession ;

(*c*) the scheme which is advocated now and was advocated in 1912 by the Law College Principal for a whole-time Professor with a staff consisting of the younger members of the bar whose practice as advocates is only beginning and who can therefore devote time to their duties as professors during the ordinary hours of the day when the Courts are actually sitting.

The first of these schemes was put forward in the letter to the Government of India No. 723, Educational, dated 7th December 1910. It proposed a full-time staff. The Government of India, it is true, demurred to the scheme on the grounds that the part-time system worked well elsewhere, that it enabled Government to secure the services of good practising lawyers without involving pensionary charges and that it enabled Government to make changes in the staff from time to time if necessary. The whole-time system was also likely to be expensive because high salaries would be necessary to secure really well qualified men ; the part-time system moreover had the support of the Indian Universities Commission. Great stress has been laid on this pronouncement of the Government of India in the subsequent discussions and Mr. Davies in his last letter on the subject now under consideration is under the impression that the Government of India have definitely vetoed the idea of a whole-time scheme. In view of this impression it is well to point out that the Government of India have never definitely vetoed the whole-time scheme. They asked in their letter just quoted that the question should be reconsidered in the light of their criticism and they went on to say that if the Governor in Council still prefers the whole-time scheme the Governor-General in Council would have no objection to its introduction. So far as the Government of India orders are concerned therefore, there is nothing to prevent this scheme from being re-opened and again pressed upon their acceptance.

Page 2 of G.O. 519, Educational, 31st July 1911.

Paragraph 3, page 2 of G.O. 519, Educational, 31st July 1911.

At the same time I question whether a proposal to revert to the whole-time scheme would be likely to secure acceptance now. It would probably be necessary to enhance the salaries offered considerably and the present is an unfortunate time for proposals involving increased expenditure. Moreover a system involving the employment of part-time Professors had the support of the Law Council in 1912 and it has the support now of the present Law Council and the Principal. It is of course possible that Mr. Davies and the present Law College Council would support a reversion to the whole-time scheme if the point were put to them. I rather gathered from Mr. Davies that he at any rate regarded the whole-time scheme as ideally the best, but to propose it now would mean further considerable delay and I incline to think that as the part-time system has never been tried on workable lines, it would not be a very strong case to press in Council.

G.O. 1099, 10th December 1912.

Coming therefore to the two variants of the part-time system at (*b*) and (*c*) above, I think that Mr. Davies has made out a strong case for his contention that the system laid down by Government in 1913 under which with the exception of the Principal the teaching staff was to consist of Professors and Assistant Professors, all practising lawyers, the former not less than 12 years and the latter not less than 7 years standing at the bar, is radically unsound. The orders of 1913 introducing that system were no sooner passed than their execution was deferred and effect has so far not been given to them. The disadvantages are very fully set forth by Mr. Davies and Mr. Todhunter and the sole additional argument which appears to have been suggested in favour of those orders appears to be that taken in the office-note, namely, that the addition to the curriculum of a number of specific statutes such as the Madras Estates Land Act, Criminal and Civil Procedure Code, etc., renders the employment of senior men in active practice necessary. I should say that the addition of a few such statutes ought not to alter the whole object of the Law College, which is to instil broad principles of Law rather than a minute intimacy with the tricks and turns of particular statutes. It is a strong point in favour of Mr. Davies' case that not only the present Law College Council but their predecessors in 1912 had consistently pressed the view which he advocates.

G.O. 224, 15th March 1913.
G.O. 603, 27th June 1913.

Until this main question is settled, it is perhaps unnecessary to enter into a detailed examination of the rules, but I may mention that Mr. Davies in discussing the case with me laid great stress on the urgent necessity (1) of providing an adequate staff up to the standard contemplated in 1913, and (2) of clearing up the position of the present Professors in particular of Mr. Appaswami, who it seems has remained sub *pro tem.* junior professor ever since Mr. Odgers' confirmation in the office of Administrator-General and who suffered I understand considerably in pay in consequence. I invite attention in particular on this point to the last paragraph of his letter.

I append below a list of the lecturers under the Council of Legal Education. So far as I know, none of them are men corresponding to the "leaders" of the bar whose employment was contemplated by the orders of 1913 :—

H. G. STOKES—30–8–15.

The following is the list of readers and assistant readers in the Inns of Court under the Council of Legal Education :—

Constitutional Law and Legal History—
Reader—A. E. W. Hazel.

Roman Law, Jurisprudence and International Law—
Reader—J. Pawley Bate.
Assistant reader—S. H. Leonard.

Law of Real and Personal Property and Conveyancing—
Reader—A. F. Topham.
Assistant reader—W. J. Whittaker.

Common Law—
Reader—Hugh Fraser.
Assistant reader—J. Gerald Pease.

Equity—
Reader—J. Andrew Straham.
Assistant reader—G. M. T. Hildyard.

Procedure—Civil and Criminal and Evidence—
Reader—W. Blake Odgers, K.C.

Hindu and Muhammadan Law—
Lecturer—Sir F. A. Robertson.

I agree with His Excellency the Governor that we should adopt the scheme advocated by the present and past Principals of the Law College and supported by the Law College Council. There is, I believe, general agreement that we should secure

the services of good practising lawyers, to use the Government of India's words, and the only question is whether, by inserting in the rules a definite prescription as to length of service at the bar, we should tie our own hands as to what is a good practising lawyer. It certainly seems to me that we should not do so. As Mr. Todhunter shows, the pay we can offer will never secure the actual leaders of the bar; at most it can only secure the future leaders, as it secured Sir Bhashyam Ayyangar, Mr. Krishnaswami Ayyar and Sir Sivaswami Ayyar when they were rising men. A fixed limit of standing at the bar may exclude the rising leader and give us, in Mr Todhunter's well-chosen phrase, elderly mediocrity. I would therefore omit from the rules any hard and fast period of standing as a qualification for the post of Professor or Assistant Professor, though in practice seven years' standing may often be obtainable.

2. As regards hours for lectures, I also agree with the view expressed in Mr. Todhunter's note, dated 28th July 1915.

A. G. C[ARDEW]—5-9-15.

I agree

H. A. S[TUART]—6-9-15.

As I find myself in a minority of one, I do not wish to note at any length. I will only say that the lines on which Mr. Davies and the Law College Council want the college to be worked can never secure men of real ability. The staff of the college now consists of men who have not got on and cannot get on at the bar and will continue to be recruited in the same manner in the future. I do not mind so much the removal of the restriction as to standing that I proposed as the system of working proposed by the Principal.

P. S. S[IVASWAMI AYYAR]—9-10-15.

EDUCATIONAL DEPARTMENT.

The rules have been revised in accordance with the orders on the previous pages and a draft order publishing them is submitted for approval.

2. The file may, it is submitted, be sent to Financial with reference to the alterations in the scale of fees and the scholarships made in rules 23 and 28.

3. It does not appear that the sanction of the Government of India should be obtained for the present modified scheme. Under article 293 of the Civil Account Code the sanction to the scheme accorded in 1913 would no doubt have lapsed by now, in view of the fact that it is now more than a year since it was accorded. Notwithstanding it, the net additional cost of the new scheme will be only about Rs. 14,400 per annum allowing for the abolition of the post of Vice-Principal, or Rs. 24,000 per annum without it, which is within the limit for absolute sanction by local Government of Rupees 25,000.

	Per mensem. Rs.
Extra cost of the scheme excluding the post of Vice-Principal ..	1,400
Extra cost of the scheme including it	2,200

If the post of Curator on Rs. 200 per mensem is abolished the extra cost will be Rs. 1,200 or Rs. 2,000 per mensem or Rs. 14,400 or Rs. 24,000 per annum.

Proviso (*a*) to rule II (4) on page 3 of G.O. 479, Financial, 2nd August 1912.

5. As the order of 1913 was placed on Editors' Table, it is submitted that the present order may also be placed on Editors' Table.

S.A.—24-10-15.

C.R.—24-10-15.

The draft is forwarded to Financial for consideration.

The 1913 scheme gave us a larger staff because we expected them to work shorter hours. We now expect them to work the same hours as before. On the other hand, we have extended the course from two years to three and the number of students is increasing.

The proposed changes in fee receipts and scholarship charges and the question whether India's sanction is necessary are also for consideration.

As no specific orders have been passed on the sectional notes, the draft may be circulated to His Excellency the Governor after Financial have noted.

It will be well if orders can be got out before the Council meeting when an enquiry as to progress has to be answered.

C. G. TODHUNTER—25-10-15.

To the Financial Department.

FINANCIAL DEPARTMENT.

Attention is solicited to G.O. No. 224, Educational, dated 15th March 1913, where Government, with the previous approval of the Government of India, sanctioned the reorganization of the Law College, and to G.O. No. 603, Educational, dated 27th June 1913, where the reorganization was ordered to be deferred. It is now proposed to introduce the reorganization sanctioned in 1913 with slight modifications and to issue revised rules regulating the constitution and working of the Law College. The present proposals of the Educational Department are embodied in the draft order.

2. So far as Financial is concerned, the points for consideration are—

(i) scale of fees to be levied—rule 23 of the revised rules;

(ii) scholarships to be granted in future—rule 28 of the revised rules;

(iii) staff of the college—paragraph 2 (iii) of draft and rule 9 of the revised rules; and

(iv) authority competent to sanction the present scheme.

3. *Item (i).*—Please see Educational Department notes on pages 15 and 16 ante. The position is as shown below:—

	Rs.
Total amount of fees now levied from each student for a *two years'* course	350
Total amount recommended by the College Council (for *three years'* course	425
Total amount recommended by the Director of Public Instruction for *three years'* course	450
Total amount recommended by Educational for *three years'* course ..	375

The reduction suggested by Educational is mainly in view of the fact that the College has been working at a profit in recent years. The figures relating to the College since 1912-13 are as follows:—

—	Receipts (IX. Education.)	Charges (22. Education.)	Surplus.
	Rs.	Rs.	Rs.
1912-13	90,987	34,797	+ 56,190
1913-14	81,843	33,831	+ 48,012
1914-15	84,684	39,251	+ 45,433
1915-16 (revised estimate)	74,000	41,800	+ 32,200

It has however to be noted that in addition to the charges shown above, charges on account of stationery and printing, maintenance and repair of buildings, pension, etc., have also to be taken into account. The real surplus will therefore be very much reduced. The introduction of the present scheme will involve an extra expenditure of * ·15 lakh per annum and it is therefore for consideration whether the scale of fees suggested by the Director of Public Instruction may not be adopted.

Yes: and to this add interest on the initial cost of the buildings.

A.B.

* Paragraph 1 of Financial office-note on page 17 of notes to G.O. 1099-1100, Educational, 10th December 1912.

We might accept what Educational proposes.

L.E.K.

4. *Item (ii)—Scholarships.*—The cost now incurred is Rs. 400 per annum, being the amount of two scholarships at Rs. 100 per term to be held for one year by second year students. According to the proposals of the Director of Public Instruction and the Educational Department the cost will in future be Rs. 800 per annum, being the amount of two scholarships at Rs. 100 per term to be held for one year by second year students and two similar scholarships to be held by third year students. As an alternative suggestion, the Director of Public Instruction states that the number of scholarships may be reduced from two to one if the extra cost is to be avoided. It is for orders whether the Director of Public Instruction's alternative suggestion may not be adopted as tending to economy.

If the reduced rates of fees proposed by Educational, viz., Rs. 125 per annum, are to be accepted, it would appear feasible to reduce * the amount of each scholarship correspondingly (viz., from Rs. 200 per annum to Rs. 125 per annum). Educational may be requested to be so good as to consider this point.

* The amount of the present scholarship is the same as the fee of the B.L. class.

See below.

L.E.K.

5. *Item (iii).*—Under the reorganization scheme sanctioned in 1913, the staff of the College should consist of one Principal on Rs. 1,000—25—1,250, two Professors on Rs. 500 each per mensem, six Assistant Professors on Rs. 250 each per mensem and one Curator on Rs. 200 per mensem. It is now proposed to have the same staff except the Curator who is considered unnecessary. The present proposals involve a saving of Rs. 200 per mensem or Rs. 2,400 per annum as compared with the proposals sanctioned by the Government of India in 1913 and may be accepted.

G.O. 224, Educational, 15th March 1913.

L.E.K.

6. *Item (iv)—Sanctioning authority.*—As pointed out by Educational, on page 20 ante, the sanction to the scheme accorded by the Government of India in 1913 should now be considered as having lapsed under article 293, Civil Account Code. The present proposals† involve the abolition of the post of Junior Professor‡ of the College on Rs. 650—25—900, and the abolition of the post is *not* within the sanctioning powers of the local Government. Consequently the sanction of the Government of India has now to be obtained for the introduction of the whole scheme.

† *Cf.* comparative statement on page 17 of notes to G.O. 1099–1100, Educational, 10th December 1912.

‡ Held by Mr. P. Appaswami sub. *pro tem.* who is drawing two-thirds of the pay of the appointment with reference to article 63, Civil Service Regulations.

Rule II (3) on page 3 of G.O. 479, Financial, 2nd August 1912.

L.E.K.

Article 293, Civil Account Code.

7. *Provision of funds.*—The budget estimate for 1915–16 contains provision for the staff according to the reorganization scheme. No further action in this regard is thus necessary.

T.R.N.N.—3–11–15.

C.P.K.—4–11–15.

Fees and scholarships.—If the fees are to be reduced the scholarships should also, I submit, undergo a similar reduction. Second year students now pay a fee of Rs. 200, and receive a scholarship of equivalent amount. If, as is proposed, the fees for second and third year students are to be Rs. 125 only, the scholarships should be reduced to this figure.

Obviously.

A.B.

L. E. KERSHAW—6–11–15.

So long as no charge is thrown upon Government on account of this College Financial is not concerned with the fees levied and, in reckoning whether any charge is thrown upon Government, regard must be had to the items of cost referred to in paragraph 3 on page 21 supra. If the file had come to Financial before circulation I should have asked Educational to consider whether Government scholarships should not be discontinued altogether. The rush for a legal career is such that there appears to be no need for encouragement in the form of Government scholarships and the proposal to increase expenditure on this item seems particularly unnecessary. That one scholarship goes to a Muhammadan or Uriya does not seem to me to affect the question materially. However it is too late to raise the point now.

A. BUTTERWORTH—9–11–15.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

A draft letter to the Government of India is submitted for approval.

S.A.—13–11–15.

C.R.—24–11–15.

I am sorry to have to trouble His Excellency the Governor again with this file, on which I hoped that orders would have issued before this.

The letter to India is a formality and I have reduced its length as much as possible.

Meanwhile the fact that it has to go gives time for consideration of the points raised by Financial.

The figures on which my proposal at page 16 regarding the fees was based certainly left out of account interest on capital cost of buildings, and charges for repairs, pensions, etc., as well as the fact that the rush for the law is so great that there is no harm in a fee that is somewhat prohibitive. In view of these facts the scale proposed by the Director of Public Instruction might perhaps be accepted.

If this is done, there is the less necessity for reducing the amount of the scholarships, of which only one goes to the general community as it is. I think we might continue to give two, extend them to the third year and make the amount equivalent to the fees.

C. G. TODHUNTER—30–11–15.

His Excellency the Governor (through Financial).

FINANCIAL DEPARTMENT.

It would appear necessary to add to the draft letter a sentence to the effect that the budget estimate for 1915–16 contains a full year's provision for the reorganization of the staff of the Madras Law College and that the necessary provision will be made in the Budget Estimates for 1916–17. The draft letter may otherwise be accepted.

2. *Scale of fees to be levied from students.*—Educational now propose to fix the fees for the B.L. classes at Rs. 450 *per* student for the three years' course, against Rs. 375 originally proposed by that department. The change may be accepted —please see paragraph 3 of note on page 22 *ante.*

3. *Scholarships.*—The position is as under :—

		Cost per annum. Rs.
(1)	Present arrangement—two scholarships of Rs. 200 each per annum for the second year course	400
(2)	Director of Public Instruction's proposal. First two scholarships of Rs. 200 each per annum for the second and third year courses	800
	Alternative—one scholarship of Rs. 200 per annum for the second and third year courses	400
(3)	Educational's present proposal—two scholarships of Rs. 150 each per annum for the second and third year courses	600

The annual value of each of the scholarships, as now proposed by Educational, is equal to the amount of fees to be levied in the classes in which the scholarships are to be tenable. With reference to Chief Secretary's note on page 22 ante, orders are solicited whether the proposal of Educational may be accepted.

T.R.N.N.—6-12-15.
C.P.K.—6-12-15.

We may accept.

L. E. KERSHAW—6-12-15.
A. BUTTERWORTH—8-12-15.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Please see addition made at the end of the draft letter.
For orders as to circulation—page 21 supra.

C.R.—9-12-15.

Submitted to His Excellency the Governor.

C. G. TODHUNTER—10-12-15.
P[ENTLAND]—13-12-15.

[G.O. Nos. 1424-25, Educational, dated 14th December 1915.]

Educational Department.

C.No.1573 Edl, from the D.P.I. No.2225/13, dated 9th May 1913.
,, 3427 ,, ,, do ,, 2225/13 ,, 6th November 1914.
,, 2153 ,, ,, do ,, ,, ,, 15th June 1915.

Order:- No 1424-25 dt 14-12-15
P.S.

The Government of India will be addressed.

LETTER: No.1425 Edl dt 14-12-15

To

The Secretary to the Government of India,

Department of Education

Sir,

I am directed to address you again on the subject of the reorganization of the staff of the Madras Law College, in connection with which the sanction of the Government of India was conveyed to a scheme formulated by this Government in Mr. Davidson's letter No.1100 Edl., ~~xxxxxxxx~~ dated the 10th December 1912.

The main features of that scheme were the abolition of the post of Vice-Principal, the creation of a post of Curator and a revision of the number and salaries of the Professors and

Assistant Professors, together with an alteration of the hours of the college so as to admit of lectures by leading lawyers in active practice before and after the opening of the courts.

The Madras Government have not acted upon this sanction. Upon further consideration of the question, in consultation with the Law College Council, they have come to the conclusion that it was a mistake to attempt to confine the teaching posts to leaders of the bar who would only be able to give a small portion of their time and talents to the college and that at hours which would be inconvenient to the students. They therefore propose, while retaining the additional professorships and assistant professorships (for which an additional reason is found in the extension of the course to three years), to fill them by the appointment of men

not

not yet at the head of the profession who will be able to give the bulk of their time to teaching work. Provision has also been made for special courses by leaders of the bar. In view of this decision they propose to dispense with the proposed post of Curator.

The proposed abolition of the post of Vice-Principal stands unaltered. As the sanction given to this has lapsed with reference to Article 293 of the Civil Account Code, I am to request that it may be renewed.

I have etc.

30.11.15

I am to add that necessary provision for the reorganisation of the staff exists in the current year's budget and will be made in the budget for the ensuing year also.

[P. & L. 42.]
1,500—10-8-03.

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EDUCATIONAL ~~LEGISLATIVE~~ DEPARTMENT.

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SPECIAL INSTRUCTIONS.

Law College — Addressing the Govt of Indi
on the subject of the reorganization
of the Staff of the Madras ——

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