

Educational (1900) Department.

ORDINARY MS.

G.O., No. 631

DATED 6. 12. 00

INDEXED.

[Despatch Abstract.]

Approving certain alterations in
additions to the by-laws relating to the
M. L. degree Examination of the
Madras University.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
He 705 of 01							

1900 ✓
Educational (189) Department.

CURRENT No. 1524



From
The Director of Public Instruction,
Madras.

Order

No. 11042

Dated 8th November 1900

Received }
Registered } 7-11-00

Enclosures

Spare copies

SUBJECT,
Re-submitting with
recommendations certain
additions to and alter-
ations in By-laws
relating to the M. B.
degree

BACK PAPERS.

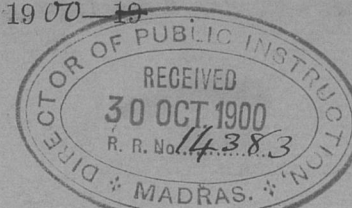
G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2
Edl CURRENT No. 1450

1900-19



FROM

THE REGISTRAR OF THE

UNIVERSITY OF MADRAS.

To

The Secretary to Government
Educational Department

No. 1291

Dated 20

Received

Rejd.

October 24. 1900.

1900.

SUBJECT.

Bylaw relating to the
M.L. Degree - Submitting
for sanction of Govt. certain
alterations and additions
to a

Endorsement. No 3064/29-1000.

Referred to the Director of Public
Instruction for remarks.

By order

Assistant Secretary

PH
23/10/00

To The Director of Public Instruction.

Edl. CURRENT No. 1524
No. 110424. 6 Nov 1900

Resubmitted and
Recommended.

G.H. Stuart

Director of Public Instruction

No. 1291

SENATE HOUSE, 20 October 1900

FROM

THE REGISTRAR OF THE
UNIVERSITY OF MADRAS.

To

The Secretary to Government

Educational Department.

SIR,

I am directed by the Vice-Chancellor and Syndicate to submit for the sanction of His Excellency the Governor in Council the following alterations in and additions to the by-laws adopted by the Senate at the meeting held on the 31st August last.

I have the honor to be,

Sir,

Your most obedient Servant,

He. J. Meive

B.A.

Registrar.

7.—EXAMINATION FOR THE DEGREE OF MASTER OF LAWS.

EXISTING BY-LAWS.

192. An examination for the degree of Master of Laws shall be held in Madras once a year, commencing on the second Monday in January.

193. No candidate shall be admitted to the examination for the degree of Master of Laws unless he has passed not less than two years previously the examination for the degree of Bachelor of Laws in this University or a degree examination in some other University accepted by the Syndicate as equivalent thereto.

194. Applications for admission to this examination, in the form hereinafter prescribed, must reach the Registrar not later than the 30th June preceding. Each candidate must forward with his application satisfactory evidence of having taken the degree of Bachelor of Laws or other accepted degree.

195. No candidate shall be registered unless he has previously paid a fee of one hundred rupees. Candidates failing to pass one examination may be admitted to subsequent examinations on payment of a like fee of one hundred rupees on each occasion.

196. The examination for the degree of Master of Laws shall be conducted by printed or written papers.

197. Candidates for the degree of Master of Laws shall be examined in the following subjects, and the questions may relate to the Codes of substantive Law, which may have been enacted by the Indian Legislature relating to those subjects of examination:

- i. Jurisprudence—
 - (a) General Jurisprudence. (b) Principles and Theory of Legislation.
- ii. Hindu Law.
- iii. The Theory and the Law of Property and Obligations—
 - (a) The Law of Trust and Trustees. (b) The Law of Transfer of Property, including Testamentary and Intestate succession. (c) The Law of Contracts, including Negotiable Instruments. (d) The Law of Torts.
- iv. Mercantile and Maritime Law.
- v. Constitutional History of England.
- vi. International Law—(a) Public. (b) Private.
- vii. Roman Law.
- viii. Evidence and Criminal Law.

PROPOSED BY-LAWS.

By-laws 192 to 196 stand as they are.

Shall

By-law 197. Candidates for the degree of Master of Laws shall be examined in one of the following branches:—

Branch I.

- i. Jurisprudence.
Legislation.
- ii. Roman Law—General.
Do.
Selections from the translated portions of the Digest.
- iii. International Law—Public.
Do. Private.
- iv. Constitutional Law and History.
Legal History.

Branch II.

- i. Real Property—General. Including the Law of Mines, Quarries and Minerals. Highways, Main Roads and Bridges. The Foreshore and Seashore.
- ii. Real Property—Transfer. Including the Principles of Conveyancing and the Interpretation of Deeds. Law of Vendors and Purchasers, Mortgage, and Landlord and Tenant.
- iii. The Law of Trusts, Public and Private, and Powers. The Law of Wills, Succession and Bankruptcy.
- iv. History of the English and Indian Land Laws. The Law of Easements and Profits.

Branch III.

- i. Law of Contracts (in general) and the remedies by Specific Performance, Injunction and Damages. Bailments, Carriers, Suretyship and Guarantee.
- ii. Agency, Partnership and Companies. Domestic Relations. Parent and Child, Husband and Wife, Master and Servant.
- iii. Law of Torts (in general) and the remedies by Damages and Injunction. Negligence, Nuisance, Libel and Slander.
- iv. Mercantile Law. Including Negotiable Securities, Trade Marks, and Insurance. Maritime Law. Including Charter-parties and Bills of Lading, and the Law of Marine Insurance.

Branch IV.

- i. Hindu Law. Family Law, Law of Inheritance and of Endowments.
- ii. Mahomedan Law. Family Law, Law of Inheritance and of Endowments.
- iii. Statute Law relating to Constitutional Matters, Law of Marriage and of Succession, in India.
- iv. Customary and Statute Law relating to Land Tenure in India.

198. The examination by printed or written papers shall be conducted in the order of time and subjects set forth in the following table, and the number of marks assignable to each subject shall be as therein specified :

Days.	Hours.	Subjects.	Marks.
Monday	10—1	Jurisprudence ..	100
	2—5	Hindu Law ..	120
Tuesday	10—1	Law of Trusts and Trustees ..	110
	2—5	Law of Property ..	110
Wednesday	10—1	Contracts, Negotiable Instruments, and Torts ..	120
	2—5	Mercantile and Maritime Law ..	110
Thursday	10—1	Constitutional History of England. ..	100
	2—5	Public International Law ..	100
Friday	10—1	Private International Law ..	100
	2—5	Roman Law ..	110
Saturday	10—1	Evidence and Criminal Law ..	120
	Total..		1,200

By-law 198. The examination ~~by written or printed papers~~ shall be conducted in the order of time and the subjects set forth in the following table and the number of marks assignable to each subject shall be as therein specified.

Branch I.

Days.	Hours.	Subjects.	Marks.
Monday	10—1	Jurisprudence ..	150
	2—5	Legislation ..	150
Tuesday	10—1	Roman Law—General ..	150
	2—5	Do. Digest ..	150
Wednesday	10—1	International Law—Public ..	150
	2—5	Do. Private ..	150
Thursday	10—1	Constitutional Law and History. ..	150
	2—5	Legal History ..	150
Total..			1,200

Branch II.

Days.	Hours.	Subjects.	Marks.
Monday	10—1	Real Property—General ..	150
	2—5	Do. ..	150
Tuesday	10—1	Real Property—Transfer ..	150
	2—5	Do. ..	150
Wednesday	10—1	The Law of Trusts, etc. ..	150
	2—5	The Law of Wills, etc. ..	150
Thursday	10—1	History of the English and Indian Land Laws ..	150
	2—5	The Law of Easements and Profits ..	150
Total..			1,200

Branch III.

Days.	Hours.	Subjects.	Marks.
Monday	10—1	Law of Contracts (in General) ..	150
	2—5	Bailments, Carriers, etc. ..	150
Tuesday	10—1	Agency, Partnership & Companies ..	150
	2—5	Domestic Relations.. ..	150
Wednesday	10—1	Law of Torts (in General), etc.. ..	150
	2—5	Negligence, Nuisance, etc. ..	150
Thursday	10—1	Mercantile Law, etc. ..	150
	2—5	Maritime Law, etc. ..	150
Total ..			1,200

Branch IV.

Days.	Hours.	Subjects.	Marks.
Monday	10—1	Hindu Law, etc. ..	150
	2—5	Do. ..	150
Tuesday	10—1	Mahomedan Law ..	150
	2—5	Do. ..	150
Wednesday	10—1	Statute Law relating to Consti- tutional Matters, etc. ..	150
	2—5	Do. ..	150
Thursday	10—1	Customary and Statute Law, etc. ..	150
	2—5	Do. ..	150
Total..			1,200

199. The candidates shall be ranked in the order of proficiency as determined by the total marks obtained by each and shall be arranged in three classes :

The first, consisting of those who have obtained not less than sixty-six per cent. of the aggregate number of marks.

The second, of those who have obtained not less than fifty per cent. of the aggregate number of marks.

The third, of those who have obtained not less than forty per cent. of the aggregate number of marks.

Candidates failing to obtain one-third of the marks assigned to each subject, or forty per cent. on the whole, shall not pass.

The examiners shall be at liberty to bracket candidates when the difference between them amounts only to a very small number of marks.

By-law 199. The candidates shall be ranked in the order of proficiency as determined by the total marks obtained by each and shall be arranged in three classes :

The first, consisting of those who have obtained not less than sixty-six per cent. of the aggregate number of marks.

The second, of those who have obtained not less than fifty per cent. of the aggregate number of marks.

The third, of those who have obtained not less than forty per cent. of the aggregate number of marks.

Candidates failing to obtain one-third of the marks assigned to each sub-division or forty per cent. on the whole shall not pass.

The examiners shall be at Liberty to bracket candidates when the difference between them amounts only to a very small number of marks.

Register Number.		Number of marks obtained.								Whether passed or not passed. If passed, in what class ranked. REMARKS.
i.	ii.	iii.	iv.	v.	vi.	vii.	viii.			
100	Jurisprudence.									
120	Hindu Law.									
	110	Law of Trust & Trustees.								
	110	Law of Property.								
	120	Contracts, Negotiable Instruments, and Torts.								
	110	Mercantile & Maritime Law.								
	100	Constitutional History of England.								
	200	Public International Law.								
	100	Private International Law.								
	110	Roman Law.								
	120	Evidence & Criminal Law.								
	1,200	Total.								

Number of Marks obtained.		Branch III.		Branch IV.		Whether passed or not.
		i.	ii.	iii.	iv.	
150	300	150	150	150	150	1,200 Total.
150	300	150	150	150	150	150 Customary and Statute Law, etc.
150	300	150	150	150	150	150 Customary and Statute Law, etc.
150	300	150	150	150	150	150 Statute Law, etc.
150	300	150	150	150	150	150 Statute Law, etc.
150	300	150	150	150	150	150 Mahomedan Law, etc.
150	300	150	150	150	150	150 Mahomedan Law, etc.
150	300	150	150	150	150	150 Hindu Law, etc.
150	300	150	150	150	150	150 Hindu Law, etc.
150	300	150	150	150	150	150 Total.
150	300	150	150	150	150	150 Maritime Law, etc.
150	300	150	150	150	150	150 Mercantile Law, etc.
150	300	150	150	150	150	150 Negligence, Nuisance, etc.
150	300	150	150	150	150	150 Law of Torts (in General).
150	300	150	150	150	150	150 Domestic Relations, etc.
150	300	150	150	150	150	150 Agency, Partnership, etc.
150	300	150	150	150	150	150 Bailments, Carriers, etc.
150	300	150	150	150	150	150 Law of Contracts (in General).

B. A.

Registrar

THE M. L. DEGREE.

The next item of business on the Agenda was the amendment of By-laws relating to the degree of Master of Laws.

Mr. O. SUNKARAN NAIR proposed that the changes as recommended by the Syndicate in the By-laws relating to the M. L. Degree Examination be accepted. At present they had By-laws 192-199 for the M. L. Degree Examination. It was then proposed to leave 192 to 196 alone. The two important By-laws were 197 and 198. They prescribed the subjects in which a candidate for the M. L. Degree Examination was to be examined and also the papers to be set. At present when a student came up for the M. L. Degree Examination he was expected to acquire a fairly good knowledge of all the subjects prescribed for the examination. From a reference to the existing By-laws the members of the Senate would see that there were a number of subjects to be brought up for the examination, and it was extremely difficult for any one to acquire that proficiency in all those subjects which they might expect of an M. L. student. The result of that was that the student acquired only a general knowledge in the various branches of law and the Examiners had to satisfy themselves that he acquired that general knowledge. Now they proposed to divide the curriculum into four branches and a student was expected to devote that time which he would have had to devote under the old By-laws, to the study of subjects which dealt only with one Department of law. The result of this would be that the examination would be more searching and that the student who passed it would be practically an expert in that branch of law. The matter had been fully considered by the Board of Studies and the Faculty of Laws, and the Syndicate had accepted their recommendations. They had taken out Evidence and Criminal Law from the new curriculum and added Mahomedan Law instead.

Mr. R. A. NELSON seconded the proposal. He said that under the changes to be introduced the student was given the choice of one of four branches. At present they had to pass in a great number of subjects utterly unconnected with each other. Practically, those subjects were divided now into four branches and the candidates might bring up any one of them. There were at present eleven papers, but under the new scheme there would only be eight which would be a decided advantage from the point of view of the students.

Dewan Bahadur V. KRISHNAMA CHARIAR enquired why, as in the case of other Honours Examinations, there was no provision made in the curriculum for a dissertation being written by the candidates.

Mr. O. SANKARAN NAIR's proposition was then put to the vote and carried.

Mr. W. B. MORREN and Mr. P. S. Sivaswami Iyer suggested certain verbal alterations in the proposed By-laws, which were accepted.

Mr. M. VIRARAGHAVA CHARIAR moved that in By-law 99, line 1, the word "Senate" be substituted for the word "Syndicate." He said that By-law 99 gave the power of appointing Examiners to the Syndicate, whereas the Act of Incorporation distinctly invested that power in the Chancellor, the Vice-Chancellor, and the Fellows for the time being. Some time ago, non-resident Fellows were deprived of the privilege of voting for the members of the Syndicate and for a Member of the Legislative Council which they had enjoyed. On the strength of legal advice the Syndicate recommended the rescinding of that power. The Syndicate, according to the Act of Incorporation, had no power to appoint Examiners. When one anomaly had been removed, he thought the Syndicate should also be deprived of that power, which should be vested in the Senate. But as a Committee had been appointed to revise the By-laws he hoped that it would take into consideration his suggestion and carry it out.

The VICE-CHANCELLOR pointed out that the Committee referred to was not appointed for the revision of the By-laws but of the Act of Incorporation.

Mr. M. VIRARAGHAVA CHARIAR formally moved his proposition, which, however, fell through for want of a seconder.

The Meeting then terminated.

EDUCATIONAL DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., No. , dated

190

Again G.O., No. , dated

190

Current No. 1450 of 1900, dated 20th oct, from the University of Madras

" " 1524 " 190 " 6th nov. " the D.P.I.

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ORDER.
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The proposed alterations in and additions to the by-laws relating to the examination for the degree of Master of Laws are approved.

MA
14.11.00

MA
20.11.00

A.E.H.
5.12.00

PJ
8.11.00

TH
8.11.00

TH
10.11.00

M.P.
8.11.00

To The Registrar M.L. }
- D.P.I. - }
8/12

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

180 .

READ AGAIN G.O., No. _____, DATED _____
 190 .

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

1450
1874

Handwritten notes and signatures

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