M.R.O. 1—89,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 625 Press Mis.

5-6

Dated 1—4—1928

Not to be folded or roughly handled

No. 5. Read the following letter from E. B. GLASS, Esq., Civil Judge of Chicacole; to T. PYCROFT, Esq., Chief Secretary to Government in the Public Works Department, Fort St. George, dated 8th March 1858, No. 85.

SIR,

I have the honor to state, that from the very great extent of the two Districts under the jurisdiction of this Court, the delay, and inconvenience, caused, in the Department of Public Works; by summoning their public servants, to give evidence, at times, when their services cannot be dispensed with, without serious hinderance, and injury to the work under construction, and as in some instances the suits, in which their evidence is said to be required, are brought for mere trifles, and got up, even at the instigation of the witnesses so named, when they know they cannot be spared, and have been already refused leave on sufficient grounds. I beg to point out there is a very simple means, of frustrating both this imposition, and this cause of serious delay in urgent works. If the Right Honorable the Governor in Council would sanction the Courts wherever such a suit may be brought, and such evidence required, sending interrogatories to the Officer in charge, and allow him to take the answers on affirmation, or oath as may be necessary in the case, and return them to the Court direct; by this arrangement such impositions, and inconveniences would be defeated for the future, and save any further correspondence between the Officers in charge, and the Courts, as *is now* the case, in all such instances.

No. 6. ORDER THEREON, No. 425; dated 1st April 1858.

The Government can issue no such instructions as are applied for by the Civil Judge of Chicacole in the above letter. Act VII, 1841 and the Circular Order of the Sudr Adawlut, 13th November 1843, would seem to indicate the course to be pursued. But the question is not one on which it is within the province of the Government to pass orders. Mr. Glass should address the Court of Sudr Adawlut.

(Signed) H. FORBES,
Acting Secretary to Govt.

Rad. F. Cartledge.

CONN. 1885 - page 119

No 485

The first case under the new ordinance
was an appeal by the Civil Judge of
Chicacola in his letter - dated 11. 1841 &
the CO of the Sirsa Rohtuck 13 Nov 1843 - wd
seem a middle course to be pursued - but
the question is one on which it is entirely
the province of the Government to frame rules
for the guidance of the Courts of Justice -

Civil Judge
Chicacola
Sirsa Rohtuck
Sirsa

Mr Thomason
Secy to Govt
Public Department

Sir

I am directed by the Lieutenant Governor to acknowledge the receipt of your letter dated 8th March No 85 with enclosures and to request that you will inform the Lieutenant Governor whether you have any objection to the proposed rule.

I am Sir
Your most obedient Servant
W. Muir
Secy to Govt

Fort William
16th March 1858

Sirsa
Rohtuck
Chicacola

Mr Secy to Govt: 9th April 1858

Publ: Department

From the Civil Judges of Chicacola
To The Chief Secretary to Government in the Public Works Department
Fort St. George

Dated 8th March
Recd 16 "

No: 85

Enclosures —

No 488.

Proposing that a Circular will be given to all Courts to send interrogatories to the Officers in charge of P.W. Establishments, Revenue of their Servants may be required to take them answers on affirmation or oath as may be necessary in the case —

Write an order