M.R.O.1—39,000—16-10-12.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1531-1532 Press —Mis—

94-96

Dated 10 — 11 — 1858.

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, for the month of November 1859.

No. 94. Read the following letter from W. HOLLOWAY, Esq., Secretary to Judicial Commissioners; to the Chief Secretary to Government, dated 9th November 1859.

I am directed by the Judicial Commissioners to state that further information, as to the views of the Legislative Council upon the Code prepared by them, has led the Commissioners to doubt the expediency of making to the Council an application in the terms of my letter dated 25th Ultimo.

It appears to them desirable that the Supreme Government should be informed that, with a view to the amalgamation of the Courts, the Commissioners are considering the applicability to the circumstances of Madras of the fourth Report of the English Commissioners, with a view to suggesting such alterations as its provisions appear to require. They direct me to make this statement in the hope that the Supreme Government will be induced to cause an application to be made for the suspension of the Code, until the propositions to be made by the Commissioners can receive such consideration as they may be deemed to deserve.

No. 95. ORDER THEREON, 10th November 1859, No. 1531.

Resolved that the Order of Government under date the 4th Instant, Judicial Department, No. 1487, be cancelled, and that the following letter be despatched—a copy of it being furnished for information to the Judicial Commissioners and to the Member for Madras of the Legislative Council.

2. Resolved also, that these proceedings be reported to the Right Honorable the Secretary of State, by the next Mail.

(Signed) T. PYCROFT,
Chief Secretary.

No. 96. To the Secretary to the Government of India in the Home Department, dated Fort Saint George, 10th November 1859, No. 1532.

With reference to former correspondence, I am directed by the Honorable the Governor in Council to state, for the information of the Government of India, that the Judicial Commission has nearly completed its labors and will shortly submit a scheme for the amalgamation of the Supreme and Sudr Courts of this Presidency with one Code of Procedure adapted to the united High Court and the Courts subordinate to it, based upon that set out in the 4th Report of the English Commissioners.

2. By Section 387, of Act VIII, 1859, or the Civil Code Procedure Act, that Act is to come into operation in the Presidency of Madras on the first of January next. As, however, it is very inexpedient, that such a Code should be introduced with the early prospect of its being superseded by another and a more complete measure, I have been instructed to bring this circumstance to the notice of the Supreme Government and to suggest that measures may be adopted for suspending the introduction of Act VIII, 1859, in the Madras Presidency.

3. Should the Supreme Government concur, I have to request that intimation to that effect may be given to the Member for Madras of the Legislative Council, in view to his laying before the Council, a short Act for the purpose.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Order thereon 11th Feb 1835 & 8th 1531.

Resolved that the order of Privy Council under date the 4th inst. Judicial Dept No 1487 be cancelled and that the following letter be despatched — a copy of it being furnished for information to the Judicial Commissioners &c &c at Bombay for Madras & Legislative Council —

Resolved also that the proceedings be reported to the Secretary of State for Home Dept —

JP

To Secretary to Govt of India Home Dept

Simla

To the Hon'ble the Members of the Legislative Council of Bombay

Judicial Commissioners of Sind

Fort St George

Judl. Dept. 3

No 1532.

To
The Secretary to the Commissioners of Inquiry
in the
Straits Settlements

Sir

I have the honor to acquaint you for the information of the Commissioners of Inquiry that the Land Revenue Courts Act VIII of 1859 Section 4 Clause 2 has been brought into operation from the 1st instant.

I have the honor to be
Sir
Your most obedient
humble servant
[illegible]

4e Report of the
English Commis-
-sioners —

2. By Section 387 of
Act VIII-1859 of the
Civil Proc Procedure
Code, that Act is to
come into operation
in the Presidency of
Madras on the first
of January next —
It known it is very
significant that
such a Code should
be introduced with the
early prospect of it
being superseded
by another and a
more complete
measure, I have
been assured that
a Bill embodying these amendments

to the notice of the
Supreme Govt and
to suggest that
measures may be
adopted for bringing
-ding the introduction
of Act VIII-1859
in the Madras
Presidency — I have
to request that the
-mation to that
effect may be
given
to the Madras
-ber of the Leg Council
in order that Legislation
upon the Code
and the Act for
the purpose

Fort St George
10 November 1859

J.F.

Pols of Govt. 10 Novr
Judicial 1859 Despatch

No 1532

To The Secretary to the Govt
of India -

Dated 10th Novr/59
Pol. No. 1947.

Judl. Letter to Govt.
12th November No. 43
of 1860 -

94 @ 96

2-4-81 R.H

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