M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1667 Press ~~Mis.~~

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Dated 18.12.1860 ~~19~~ .

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Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department, 18th December 1860.

No. 131. Read the following letter from C. F. CHAMIER, Esq., Registrar of the Sudder Court, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 11th December 1860, No. 108.

1. I am directed by the Judges, with reference to the Proceedings of Government, dated the 14th ultimo, to transmit copy of a letter from the Civil Judge of Negapatam in which he expresses his opinion, that it would not be expedient to dispense with any of the District Moonsiffs' Courts in that Zillah; but that a saving might be effected by abolishing the Office of Moofty Sudder Ameen.

2. The Judges are of opinion, that as it will be necessary shortly to consider the future position of the Moofties generally in connection with the introduction of the Penal Code, by which the Mahomedan Criminal Law will be wholly superseded, it would be inexpedient at present to adopt the Civil Judge's suggestion.

From R. G. CLARKE, Esq., Civil Judge of Negapatam, to C. F. CHAMIER, Esq., Registrar to the Sudder Court, Fort Saint George, dated Tranquebar, 30th November 1860, No. 204.

1. I have the honor to acknowledge the receipt of your communication, forwarding Extract from the Proceedings of the Madras Government, under date 14th September 1860, No. 1,186, and requesting me to submit my opinion on the subject therein referred to.

2. There are two points on which the Government desire information:

I. Whether, in consequence of the sanctioned Establishment of a Moofty Sudder Ameen's Court of Negapatam, one of the District Moonsiffs' Courts in that Zillah, might not be dispensed with.

II. Whether, as the said Moofty's Court will be located at Tranquebar, the Moofty might not take the place of the District Moonsiff of that station.

3. The annexed Statement will show at a glance, the arrears and average monthly file of Suits, as well as the income and expenditure annually, of each of the 7 District Moonsiffs' Courts attached to the Negapatam Zillah, and it will be observed, that in every instance the monthly file exceeds the number of Suits which the Moonsiffs are required to decide under the new Civil Procedure Act. The accumulated arrears of the Negapatam Court, which suggested the Establishment of an additional Moonsiff at Nagore, are not yet worked off, and even with the facilities now afforded for the speedy adjustment of causes, the Moonsiff will do well if he keep his file clear of culpable arrears.

4. So far from thinking it possible to dispense with any of the existing District Moonsiffs' Courts, I beg to be allowed to draw the attention of the Judges to the very heavy file of the Myaveram Moonsiff, which exhibits arrears on the 10th November of 962 Suits, and an average monthly addition of 108 Suits, and which must inevitably soon make it necessary that the Moonsiff should be relieved of a part of his file; and while the state of the other files shows a sufficiency of work to occupy fully the time of the Moonsiffs, and instead of a cost there is an annual saving to Government in each of the establishments, I beg to offer my opinion that it would be inexpedient to dispense with the number of District Moonsiffs' Courts.

5. In regard to the 2nd question, I have the honor to state that the jurisdiction of the Tranquebar Moonsiff extends over Tranquebar, Perallum, and 3 Magannams of the Nunnilam Táluq. His Suits are for the most part of an important and complicated character, involving titles to land; the file is heavy and would require more time and attention than could be given to the work by the Moofty, if his own proper duties are to be superadded to those of the Tranquebar Moonsiff.

6. Indeed, if the existing state of the Law would permit of the abolition of the Sudder Ameen's Court, that course might, I think, be adopted without inconvenience, and with a larger saving to Government than would be realized by the abolition of a Moonsiff's Court. The average number of Suits on the file of the Moofty Sudder Ameen will perhaps never exceed 50 per annum; the Criminal labors of this Officer might be easily borne by the Criminal Court, and

with the assistance of Assessors to act as Jury in Session cases, the necessity for the services of a Mahomedan Law Officer would be superseded.

(True Copy.)

(Signed) C. F. CHAMIER,
Registrar.

STATEMENT.

District Moonsiffs.	Average monthly file.	Arrears on 1st November of Suits pending 3 years.	Annual income.			Total.	Annual expense.			Annual saving.	Remarks.
			Stamp.	Penalty.			Returned to parties.	Establishment.			
		1858	27	7,170 8	1,436 6	8,606	1,767 8	3,420 0		3,419 6	
Negapatam...	50	1859	209	8,143 0	1,814 4	9,957	1,367 8	3,420 0		5,169 12	
		1860	272	3,030 0	1,012 12	4,042	190 0	2,850 0		1,002 12	
		1858	.....	.....	...	.....	.....	.....		.....	
Nagore.....	40	1859	.....	.....	...	.....	.....	.....		.....	
		1860	362	1,509 12	472 0	1,981	98 8	1,645 0		238 4	
		1858	.....	3,252 0	1,014 4	4,266	529 0	2,033 11		1,703 9	
Tranquebar...	53	1859	157	3,337 0	815 4	4,152	656 0	2,731 6		764 14	
		1860	435	3,107 8	933 8	4,041	693 0	2,056 4		1,291 12	
		1858	10	3,795 12	864 12	4,660	805 0	2,799 2		1,056 6	
Myaveram....	108	1859	345	4,033 0	1,608 10	5,641	685 8	2,814 6		2,141 12	
		1860	607	4,576 4	706 4	5,282	467 0	2,333 4		2,482 4	
		1858	18	3,555 0	872 8	4,427	670 0	2,034 5		1,723 3	
Trivalore.....	52	1859	206	3,047 4	546 14	3,594	367 0	2,040 0		1,187 2	
		1860	396	2,375 15	334 10	2,710	444 8	1,652 2		613 15	
		1858	.....	2,739 0	628 0	3,367	540 0	2,040 0		787 0	
Tritrapoondy.	47	1859	4	2,601 12	586 10	3,188	512 0	2,040 0		636 6	
		1860	153	1,714 12	260 10	1,975	328 8	1,530 0		116 14	
		1858	1	3,035 0	842 4	3,877	268 0	2,640 0		1,569 4	
Sheally.....	50	1859	291	3,532 4	811 0	4,343	369 0	2,040 0		1,934 4	
		1860	284	1,781 8	560 12	2,342	66 8	1,650 0		625 12	

Signed) R. G. CLARKE,
Civil Judge.

Tranquebar,
30th November 1860.

No. 132. Order thereon, 18th December 1860, No. 1,667.
To be recorded.

(Signed) T. PYCROFT,
Chief Secretary.

Ed. T. O'Connor.

Pro= 14th Sept. 1860 No. 97.

Judicial 1860 Sept.

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No.

From,
The Registrar of the
Sudder Court.

To,
The Chief Secretary
to Government.

Dated 11th December 1860.
Recd.

No. 108.

With one Enclosure.

No. 2059 Forwarding Copy of a letter from the Civil Judge of Pergunnah Stating that it would be inexpedient to dispense with any of the District Moonsiffs' Court in that Zillah.

No. 1667 18/12/60
To be recorded
GP

C 13 Dec. 131 & 132.
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