

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1018	Press
232 # 233	~~Mis.~~
Dated 30.6.1862	49

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
30th June 1862.*

No. 232. Read the following letter from R. R. COTTON, Esq., Civil Judge of Madura; to A. J. ARBUTHNOT, Esq., Acting Chief Secretary to Government, Fort Saint George, dated 18th June 1862, No. 112.

1. I have the honor in accordance with the Order of Government, No. 898, dated 10th June 1862, Judicial Department, paragraph 4, to report that the Government having been pleased to abolish the Sub-Court at this station, it appears to me that the portion of the old Palace, lately occupied by the Sub-Judge, together with such of the Sub-Court furniture, as may be required, are available for the new Small Cause Court, and that at Ramnad and Dindigul, houses may be temporarily rented, as occasion may require, for the accommodation of the Small Cause Courts.

2. The Judges of the Sudder having directed, that the Judge of the Small Cause Court, should clear his file at one station, *before proceeding to another*, I suspect if the experiment be successful, and the new Court meet with favor, that the Judge will not have occasion to leave his Head Quarters at Madura, *for very many months*, and I therefore think, that it would be premature to engage and pay rent for accommodation, at the out-stations, before the necessity for doing so is apparent.

3. The notification directed to be published in paragraph 5, will be so, in the District Gazette.

4. It is with extreme concern, that I have learnt the determination of Government, to leave me alone to perform the whole Judicial work of an immense district, like Madura, which I am persuaded it is utterly impossible for any one man to do. I have represented my case to the Judges of the Sudder, for the consideration of Government, should they deem fit.

5. Lists of servants thrown out of employ by the abolition of the Subordinate Court, will, as directed, be transmitted to the Zillah Judges of the Districts, in which the new Courts are to be established.

6. It does not appear by the Government Order, what amount is to be allowed the new Courts, for Saderward expenses.

7. I propose leaving Mr. Melville the Acting Judge to submit his own estimates for Stationery, &c., as he can for the present, have a loan from the balance that remains in the Sub-Court, and I cannot, even approximately calculate, what may be required, and to what extent the new Court will be resorted to by the public.

8. It is certain, that the powers of the Small Cause Court Judges, far exceed those ever hitherto vested in the oldest and most experienced Judicial Officers, and when these are deputed to young Officers, of a few years' standing in the service, without a day's Judicial experience, and whose character and qualifications have yet to be learnt, it may be, that expectations raised regarding the new Courts may take some time, before they are realized, and I am free to admit that in advocating Small Cause Courts for Madura, I never doubted, but that the Judges (Native or European) appointed to preside over them, would be men of some Judicial experience, possessing likewise considerable acquaintance with Native character, as exhibited in our Courts, and also sufficiently acquainted with the Vernacular of the District, to be able to examine all parties *personally*, and without the assistance of an interpreter; and I cannot, when I consider the prevalence of forgery and perjury in this place, and the character of the wealthy Natives, Naticottay Chetties, and Zemindars of the District, their rapacity and tyranny over the poorer classes, but dread the consequences of a Small Court at Madura presided over by an Assistant Collector of 5 years' standing, from the Northern Sirkars; and unless the Government can send a *Judicial Officer of experience*, I would most respectfully, but earnestly, recommend, that the opening of the Madura Small Cause Court, be deferred, till Mr. Goldingham's return, a Principal Sudder Ameen being in the interim appointed to the Sub-Court.

Proceedings of the Madras Government, Judicial Department,
30th June 1862.

No. 233. ORDER THEREON, 30th June 1862, No. 1,018.

The Governor in Council approves of the arrangement proposed by the Civil Judge of Madura, for making over to the Small Cause Court about to be established, that portion of the Palace which has been hitherto occupied by the Subordinate Court; renting houses at Ramnad and Dindigul, when they are required.

2. The Governor in Council will await a communication from the Sudder Court on the representation which Mr. Cotton has addressed to the Judges, with reference to the abolition of the Subordinate Court at Madura, which it is observed was ordered on the recommendation of the Sudder Court.

3. The contingent expenditure of the Small Cause Court, must be provided for by a permanent advance, and by monthly Contingent Bills.

4. The Governor in Council is not prepared to postpone the opening of the Small Cause Court at Madura, or to cancel the appointment of Mr. Melville. Mr. Melville is an intelligent Officer and has been selected for the acting appointment on that ground.

(Signed) A. J. ARBUTHNOT,
Acting Chief Secretary.

Ed. F. Cartledge.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

*Read the following
letter from the Civil Judge,
Madura.*

(How entered 18th June 1862 N^o 112.)

Order Thereon 30 June 1862 N^o 1018.

The Governor in Council approves of the arrangement proposed by the Civil Judge of Madura, for making over to the Small Cause Court about to be established, that portion of the Palace which has been hitherto occupied by the Subordinate Court; renting houses at Ramnad & Dindigul, when they are required.

The Governor in Council will await a communication from the Sudder Court.

Court on the representation
which Mr. Cotton has ad-
-dressed to the Judges, with
reference to the abolition of
the subordinate Court at
Madura, which it is observed
was ordered on the recom-
-mendation of the Sudder
Court.

3. The contingent expen-
-diture of the Small Cause
Court, must be provided
for by a permanent salary,
and by monthly contingent
bills.

4. The Governor in Coun-
-cil is not prepared to post-
pone the opening of the Small
Cause Court at Madura,
or to cancel the appoint-
-ment of Mr. Melville.

Mr. Melville is an
intelligent officer and has
been selected for the acting
appointment

appointment on that ground

W

W. C. S. D.

To the Civil Judge }
of Madura. } Despatched July.
Sudder Court. }

x^d
R. S. S. S.

Copy of the
Proc 1862. Department.

No. 1618.

PROCEEDINGS OF GOVERNMENT.

St. A. M. H.
Feb. 23d 1863.

Dated 23d June 1862.

I trust that a portion of the
Colours at Hudson's Bay are
over to the Senate House. But
the Court is communicating
from the student body on the
representation from the Court
with reference to the absence
of the student body's chairman
that Court can neither
prevent the opening of the
Senate House Court nor
cancel the appointment of
the Melville as its judge.