

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	375	Press
		~~Mis.~~
188-189		
Dated	15-3-1918	864

9/6

Not to be folded or roughly handled

2/8/30

Proceedings of the Madras Government, Judicial Department,

15th March 1864.

No. 188. Read the following letter from M. CROSS, Esq., Judge of the Court of Small Causes of Negapatam; to the Honorable A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Madras, dated on Circuit, Negapatam, 7th March 1864, No. 42.

I had the honor to receive on the 5th instant the Proceedings of Government, No. 257, dated 26th February 1864.

2. In paragraph 11 of those Proceedings, Government have requested the Civil and Sessions Judge to submit a draft Notification, direct to Government I conclude, embodying the changes resolved on, with reference to which I respectfully beg permission to submit the following suggestions and requests for the favorable consideration of His Excellency in Council.

3. As this Court will be henceforth permanently located here, and as it is far from desirable that there should be two Courts in the same town possessing Small Cause jurisdiction, though even of different money limits, I take the liberty of suggesting that I should be permitted to have "exclusive special jurisdiction" within the local jurisdiction of the Negapatam District Moonsiff.

4. Also, that when acting Magisterially, Government will be pleased to authorize me, under Section 196, Criminal Procedure Code, to take down the evidence of witnesses with my own hand in the English language.

5. This Court came here on Circuit duty for two months on the 1st February, my establishment leaving their houses and families at Tranquebar in the expectation of returning there on the 1st proximo.

6. They beg permission to return home on the expiration of this Circuit tour, as they represent to me, with truth, that here houses are so scarce they cannot immediately obtain dwellings to admit of the removal of their families.

7. I therefore venture to solicit on their behalf that Government will be pleased to allow the transfer of this Court to this place, to have prospective effect from the expiration of the coming recess, 15th July or 1st August, which period will not only afford my establishment leisure to look about for houses and a convenient opportunity for completing arrangements for the removal of their families, but I shall thus be able to clear my file of cases already posted for hearing at Tranquebar in April, and time will likewise be given to the inhabitants of the District of becoming fully acquainted with the coming changes.

8. On my own behalf, I am reluctantly obliged to bring to the notice of Government that there is no residence available here for myself and family.

9. Up to this period, when here on Circuit, I have been dependent on the kindness of friends for shelter, and on this occasion, as the Court is completed, I am occupying one of its rooms, paying a part (Rupees 20) of the rent Rupees 50: this arrangement being with the permission of Government—*Vide* Proceedings as per margin.

G.O., 20th August 1862, No. 1356.

10. Until I can secure a house I must of necessity keep my family at Tranquebar, and as my permanent location here will thus, for the present, necessitate my keeping up two establishments, I trust that Government will not object to accord to me a continuance of the batta allowance, Rupees 4 per day, as a temporary arrangement, from the date that they may order the changes resolved on to be given effect to.

No. 189. ORDER THEREON, 15th March 1864, No. 375.

The Governor in Council approves of the suggestions made in the foregoing letter that the Judge of the Court of Small Causes at Negapatam should be invested with exclusive special jurisdiction in the local jurisdiction of the District Moonsiff of Negapatam, and that, in his capacity of Magistrate, he should be authorized to take down the evidence of witnesses with his own hand

*With his own hand in the
English*

*Proceedings of the Madras Government, Judicial Department,
15th March 1864.*

in the English language. The Civil and Sessions Judge will embody these suggestions in the draft Notification he has been instructed to prepare.

2. Under the circumstances represented in the 5th and following paragraphs of Mr. Cross's letter, the Governor in Council will not object to the new arrangements being postponed until the 15th July next. He cannot, however, permit Mr. Cross to draw batta at Negapatam after that date.

(True Extract.)

Chief Secretary.

To the Honorable the Judges of the High Court.
„ The Judge of the Court of Small Causes at Negapatam.
„ The Civil and Session Judge of Negapatam.
„ Civil Paymaster.

Exd. J. Tulloch.

desp. 18/3

JUDICIAL DEPARTMENT.

To

THE HONORABLE SIR COLLEY HARMAN SCOTLAND, KT.,

Chief Justice of the High Court of Judicature,
Madras.

HONORABLE SIR,

I am directed by His Excellency the Governor in Council to transmit to you the enclosed Proceedings of the Madras Government dated the 15th instant No. 375

Fort St. George,

17 March 1864.

I have the honor to be,

Honorable Sir,

Your most obedient Servant

Chief Secretary.

*jurisdiction in the local
jurisdiction of the District
Magistrate of Negapatam,
and that, in his capacity
of Magistrate, he should
be authorized to take down
the evidence of witnesses
with his own hand in the
English*

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Judge
of the Small Cause Court at Negapatam.
(Recd. Enter 17th March 1864. N^o 42)

Order thereon 15th March 1864. N^o 375.

The Governor in Council
approves of the suggestions
contained in the foregoing
letter that the Judge of the
Court of Small Causes at
Negapatam should be
invested with exclusive special
jurisdiction in the local
jurisdiction of the District
Magistrate of Negapatam,
and that, in his capacity
of Magistrate, he should
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the evidence of witnesses
with his own hand in the
English

Ed. J. Tulloch.

English language & the Civil and Sessions Judge will embody these suggestions in the draft instructed to prepare.

2. Under the circumstances represented in the 5th and following paragraphs of Mr Cross's letter, the Governor in Council will

arrangements being postponed until the 15th July next. He cannot however permit Mr Cross to draw batta at Negapatam after that date.

The Judge of the Court of Small Causes
at Negapatam
The Civil & Sessions Judge of Negapatam
The Honble the Judge of the High Court
(with letter)
The Civil Paymaster.

desp^d 18/3

Admiral 1864. Department.

No. 375.

PROCEEDINGS of GOVERNMENT.

Dated 18th March 1864

188.189