

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	455	Pracg
		~~Mis.~~
23-25		
Dated	5 - 4 - 19 - 1864	

10/11

Not to be folded or roughly handled

455

64

4/18

*Proceedings of the Madras Government, Judicial Department,
5th April 1864.*

Read the following papers:—

- No. 23. From the Civil and Session Judge of Coimbatore.
(Here enter 22nd March 1864, No. 6.)
- No. 24. From the Civil and Session Judge of Trichinopoly.
(Here enter 25th March 1864, No. 108.)

No. 25. [ORDER THEREON, 5th April 1864, No. 455.]

The Governor in Council is not prepared to sanction the adjournment of any of the Courts before the 1st of May.

2. As observed by the Honorable the Judges of the High Court in their Registrar's letter to the address of the Civil and Session Judge of Coimbatore, under date the 18th ultimo, the annual Returns required by the Civil Paymaster and the Inspector General of Jails cannot be completed before that date; and it is not fair to the Court servants, who have to prepare these Returns, that they should be required to perform the duty during the adjournment of the Court, nor indeed could they be correctly prepared and duly examined in the absence of the Sessions Judge.

(True Extract.)

Chief Secretary.

To the Civil and Session Judge of Coimbatore.
" " " Trichinopoly.

Exd. J, Tulloch.

No 6

Coimbatore Zila Court

22nd March 1864

From

G. A. Harris Esq

Civil and Session Judge of
Coimbatore

To

A. J. Arbuthnot Esq

Chief Secretary
to Government in the
Judicial Department

Fort St George

Sir,

The High Court having
fixed the 1st to 15th May for the
periodical adjournment of the
Courts, I requested permission
to be allowed to adjourn this Court
in the months of April and May
instead of May and June, but
have been informed that with
reference to the orders of Govern-
ment of 9th April 1863 and 8th
March 1864, "it seems impracticable
to the High Court for any Court
to adjourn before that date."

2.

I have therefore the

honor to request you will submit
this matter to the consideration
of the Government in the hope
that it will see fit to allow of a
modification of the High Court's
rule as regards the Coimbatore
Court; for the months of March
April and May are the hot
months at this station, and
in June, owing to the setting
in of the South West monsoon,
the climate is cool.

3. I have had a heavy
Session this month and during
the greater portion of the day
the Court house is like a
furnace; it will be hard if
I must continue to labor in the
same heat in April. I allowed to
adjourn during the months of
April and May, I engage to
have all the required statements
submitted to the several authorities

by the proper time. Copy of the
High Court's letter under notice
is herewith submitted.

Coimbatore
Zila Court
22 March 1864

I have the honor to be,
Sir
Your Most Obedt. servant
G. Harris
Civil and Session Judge

W
 From
 B. F. Chamier Esq
 Registrar of the High
 Court of Judicature
 Madras
 To G. A. Harris Esq
 Civil Judge of
 District of Coimbatore

Sir, I am directed to acknow-
 ledge the receipt of your
 letter dated the 4th and 5th
 instant, representing that
 the proper months for the
 annual recess in the Kellah
 of Coimbatore, are April
 and May, and requesting
 permission to hold a special
 Session at the end of the
 present month and adjourn
 early in April.

2. In reply I am
 directed to inform you
 that the time for the

From F. April 1803 No 52-53
 To G. Harris Esq 1804 No 118 to 120.

Received 1803 20th Apr

From the Civil Judge of Coimbatore

To the Chief Secretary
 to Government at the
 Secretariat, Madras
 (For the file)

Received 22nd March 1804

No 52/53

With me in the
 presence of Copy of the
 letter dated 19th March
 1804. The question is made
 certain of the High Court
 rules regarding the adjourn-
 ment of the Court and
 from the Court of Madras
 the Court and the Court
 of the Court of the Court
 in the Court of the Court
 the Court of the Court.

adournment of the Court
has been fixed with reference
to the experience of several
years and to the requirements
of the order of Government
dated 9th April 1863, and
also order of Government
dated 8th March 1864. There
is no difficulty respecting
the submission to the High
Court of the materials
required for the preparation
of the Administration Report
as that is founded upon the
Returns of the calendar year
but the statements to be
sent to the Civil Pay
Master and Inspector
General of Jails, being
for the official year,
cannot be completed

50
before the 1st of May, and
as no judicial officer
is to leave his station
till he has furnished
these statements, it seems
to the High Court, impracticable
for any Court to adjourn
before that date.

High Court
of Judicature
Madras
18th March 1864

I have the honor to oblige you

Signed C. F. Chamberlain

Registrar

Appellate side

1 True Copy 1

1 H. A. S. S.

Civil Judge

Trichinopoly Civil & Session Court
25th March 1864

No 108

From
T. J. P. Harris Esquire
Civil & Session Judge of
Trichinopoly

To A. L. Arbuthnot Esquire
Chief Secretary to Government
Judicial Department
Fort St. George

Sir
I have the honor to re-
quest you will be good enough
to submit the following for
the favorable consideration
of the Right Honorable the
Governor in Council.
2. - - - In conformity with
the orders of the Judges of the
High Court of Judicature,
dated 5th March 1864, the courts
in the Mofussil can only
now be closed during the
recess, at some time from the

Subscribed 1864, 20th April
Enclosure No 1

In a letter from the Civil
& Session Judge of Trichinopoly
dated 25th March 1864.

No 108

From

The Civil & Session Judge
of Trichinopoly

To the Chief Secretary

to Government

in the Madras District

Fort St. George

Copy of the Court's
order dated 20th April
1864 regarding the
recess of the courts.

1864-5
No 597

the 1st to the 15th of May in
each year, in lieu of the ad-
journment taking place,
as last year, at a time and
season best suited to meet
the comfort and convenience
of all parties concerned.

3 - - - It was my intention
to have fixed the Adjourn-
ment for April and May,
the heat during those two
months being well high
insufferable, but in ac-
cordance with the Order
above quoted, it is impossi-
ble now to escape the
intense heat the whole of
April, and part of May.

4 - - - I would beg therefore
respectfully and urgently
to solicit, that Government
will be pleased to allow
of my adjourning the
Court for two months from
the 11th of April, and in
trust

trust to be excused writing
direct to Government, but
I am informed the Judges
of the High Court have
refused compliance with
a similar request, made
by the Chief Justice of
Bombay.

I have the honor to be

Sir

Your most Obedt Servt

A. M. M.

Chief Justice of Bombay

How does
the Army
bear it

To day
 Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
 letters

From the Civil & Session Judge
 of Combaratore } Here enter 22nd March 1864.
 do - of Trichinopoly } 25th - " - " 1864.

Order thereon 5th April 1864 No 455.

The Governor in
 Council is not prepared
 to sanction the adjourn-
 ment of any of the Courts
 before the 1st of May.

As observed by the
 Honble the Judges of the
 High Court in their Registrar's
 letter to the address of the
 Civil and Session Judge
 of

[Signature]

[Signature]

June 26 1864
 The Civil & Session Judge
 of Trichinopoly
 The Chief Secretary
 to Government
 Madras
 No 455
 Dated 23rd 1864
 Received at Trichinopoly
 No 613
 Enclosure -
 No 108
 Order to take
 possession of the
 land for the
 Government
 11th of April

of Coimbatore under date
the 18th ~~March~~ ^{July} 1880, the
annual returns required
by the Civil Paymaster
and the Inspector General
of Jails cannot be com-
pleted before that date;
and it is not fair to the
Court servants who have
to prepare these returns,
that they should be
required to perform the
duty during the adjourn-
ment of the Court - nor indeed could they be

correctly prepared, and
duly examined in
the absence of the Sessions
Judge. Judge

16/26/80

To the Civil & Ses. Judge of Coimbatore
do Trichinopoly

10
S. J. L.

9
desp. 5/4

*Adjournment of
Court.*

Judicial, 1864. Department.

No. 435

PROCEEDINGS OF GOVERNMENT.

Dated 5 April 1864

At 4-99/65