M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1064 Press ~~Mis.~~

—

Dated 31st July. 1865

(Inclusive)
96/96

Not to be folded or roughly handled

JUDICIAL DEPARTMENT.

No. 1064.

FROM

A. J. ARBUTHNOT, ESQ.,
Secretary to the Government of Fort Saint George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

Adverting to the instructions conveyed in paragraph 5 of Mr. Under Secretary Wyllie's letter of the 9th April 1864, I am directed by His Excellency the Governor in Council to submit the following report on the working of Act XIII of 1859, in this Presidency, during the year 1864.

2. The aggregate number of complaints filed was 1865, which as compared with the average annual number* filed during the three years and ten months, ending 30th June 1863, shows an increase of 568 in the annual number of complaints under this Act.

3. The distribution of the complaints is again noticeably unequal; those filed in the Kurnool District exceeding by more than one-half the complaints lodged in all the other Districts combined. It will be seen by the accompanying tabular Statement, that out of the 1865 complaints filed in the Presidency during the year under review, 1095 were filed in Kurnool. Next to Kurnool the Districts in which the Act was taken advantage of in the greatest number of instances are Salem and Coimbatore, 331 in the former, and 122 in the latter. Then follow, South Canara 67, South Arcot 65, the Godavery District 52, Madras 32.

4. The large preponderance of complaints in the Kurnool District is, as the Magistrate of that District points out, to be attributed to the number of contracts resulting from the extensive operations of the Madras Irrigation Company in the District; the whole of these works being constructed on contract. Nearly all the complaints in the District were brought by natives on their own account, and nearly all the defendants were coolies or laborers. The Magistrate states that, owing to the scarcity of labor, and the competition on the part of contractors, had it not been for the prompt remedy afforded by this Act, the Company's works would have been brought to a stand still, as none of the Native contractors would have completed their contracts, while direct employment of labor by the officers of the Company is even more unsatisfactory.

5. The Statement shews that, as compared with the former Return, there has been a very large increase in the complaints lodged by Natives on their own account, 1092 out of 1095 having been brought by that class in the Kurnool District; 268 out of 331 in the Salem District; and 47 out of 122 in Coimbatore. The subjoined Statement will shew the nature of the cases throughout the Presidency.

	No. of cases.
Number of cases in which the prosecutor was an employé or Agent of a Government Department or the Railway or Irrigation Company	58
Planters	72
Europeans, Merchants, or others on their own account	66
Natives on their own account	1669
Total	1865

* 1974.

	No. of cases.
Cases in which the defendants were Artificers or skilled workmen........	176
Professional Contractors, Cart-owners, &c...	263
Common laborers or coolies..	1426
Total...	1865

6. The Governor in Council is of opinion that there is no reason for apprehending that this unequal distribution of complaints is to be attributed to want of uniformity in the interpretation of the law, but that it is caused chiefly by local peculiarities, and that the paucity of complaints in many Districts is to be attributed to the check afforded by the Act itself to fraudulent breaches of contract, and to the general spread of knowledge as to the provisions of the Act among the Native community. That this knowledge does exist may be inferred from the large increase in the number of complaints laid by Natives on their own account.

7. There seems no ground for supposing that the Act is found to operate unjustly or with undue pressure on any class, the testimony of the local authorities is unanimous on this point; and it will be seen that the penal provisions of the Act were only enforced in 64 instances by imprisonment, of which 22 occurred in Kurnool, and in 91 cases by taking of security.

8. His Excellency entertains no doubt that Act III of 1865 of the Madras Government, has acted beneficially in obviating to a great extent the filing of complaints "in terrorem," while it has not had the effect of preventing *boná fide* complainants from prosecuting their claims.

9. Finally, His Excellency is of opinion, and in this he is supported by the concurrence of all the Magistrates in the Presidency, that the working of this Act, during the year under review, has not disappointed the hopes expressed in the former report as to the beneficial results which might be expected to attend its operation.

I have the honor to be,
Sir,
Your most obedient servant,

FORT SAINT GEORGE,
31*st July* 1865.

Chief Secretary.

STATEMENT showing the number and classes of Complaints under Act XIII of 1859, filed in the Madras Presidency for the year 1864.

Districts and Zillahs.	Trade or Profession of Prosecutors.	Trade or Profession of Defendants.									
		Artificers, including all skilled workmen.			Other workmen, including contractors for the performance of works, &c.			Laborers or Coolies.			Grand Total of cases.
		Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which defendants were imprisoned.	Number of cases in which security was taken.	
Bellary...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	1	......	...	4	......	...	5
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	2	1	...	3	......	...	5
	Natives on their own account...	...	......	...	1	1	...	2	......	...	3
	Total...	...	......	...	4	2	...	9	......	...	13
Coimbatore, including the Zillah of Ootacamund.	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	2	......	...	5	......	...	4	......	...	11
	Planters...	...	......	...	5	1	...	24	13	2	29
	Europeans, merchants, or others on their own account...	11	1	...	18	3	...	6	......	1	35
	Natives on their own account...	10	......	3	12	1	...	25	......	...	47
	Total...	23	1	3	40	5	...	59	13	3	122

Statement showing the number and classes of Complaints under Act XIII of 1859, filed in the Madras Presidency, for the year 1864.—(*Continued.*)

Districts and Zillahs.	Trade or Profession of Prosecutors.	Trade or Profession of Defendants.									
		Artificers, including all skilled workmen.			Other workmen, including contractors for the performance of works, &c.			Laborers or Coolies.			Grand Total of cases.
		Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	
Cuddapah...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	2	......	...	5	......	...	...	......	...	7
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	1	......	...	...	......	...	...	......	...	1
	Natives on their own account...	4	......	...	...	......	...	...	......	...	4
	Total...	7	......	...	5	......	...	...	......	...	12
Ganjam, containing Zillah of Berhampore.	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	1	......	...	1
	Total...	...	......	...	...	......	...	1	......	...	1
Godavery, (Zillah of Rajahmundry.)	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	3	......	...	1	......	...	...	......	...	4
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account	4	......	...	2	......	...	...	......	...	6
	Natives on their own account...	20	1	1	14	......	...	8	......	...	42
	Total...	27	1	1	17	......	...	8	......	...	52
Kistna, (Zillah of Guntoor.)	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	...	......	...	...	......	...	...
	Natives on their own account...	1	1	...	...	......	...	7	1	...	8
	Total...	1	1	...	...	......	...	7	1	...	8
Kurnool, (Zillah of Nundial.)	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	2	......	...	2
	Planters.	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants or others on their own account...	...	......	...	...	......	...	1	......	...	1
	Natives on their own account...	..	......	...	8	1	...	1084	21	...	1092
	Total...	...	......	...	8	1	...	1087	21	...	1095
Madras, (Zillah of Chingleput.)	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	...	......	...	...	......	...	...
	Natives on their own account...	...	......	...	...	......	...	32	3	...	32
	Total...	...	......	...	...	......	...	32	3	...	32
Madura...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account..	1	......	...	...	......	...	...	......	...	1
	Natives on their own account...	17	......	...	4	......	...	...	......	...	21
	Total...	18	......	...	4	......	...	...	......	...	22

Statement showing the number and classes of Complaints under Act XIII of 1859, filed in the Madras Presidency for the year 1864.—(*Continued.*)

Districts and Zillahs.	Trade or Profession of Prosecutors.	Trade or Profession of Defendants.									
		Artificers, including all skilled workmen.			Other workmen, including contractors for the performance of works, &c.			Laborers or Coolies.			Grand Total of cases.
		Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	
Malabar, (Zillahs of Calicut and Tellicherry.)	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	1	......	1	1	......	1	...	......	...	2
	Natives on their own account...	5	......	5	...	......	...	...	......	...	5
	Total...	6	......	6	1	......	1	...	......	...	7
Nellore...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	1	......	...	...	......	...	1
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	1	......	...	...	......	...	1
	Natives on their own account...	...	......	...	...	......	...	1	......	...	1
	Total...	...	......	...	2	......	...	1	......	...	3
North Arcot, (Zillah of Chittoor).	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	1	......	1	...	......	...	1
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	1	......	...	...	......	...	1
	Natives on their own account...	...	......	...	4	......	...	...	......	...	4
	Total...	...	......	...	6	......	1	...	......	...	6
Salem...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	3	......	1	9	......	...	2	......	...	14
	Planters...	3	......	3	6	......	6	33	6	27	42
	Europeans, merchants, or others on their own account...	3	......	1	3	......	...	1	......	...	7
	Natives on their own account...	34	......	1	63	2	11	171	......	16	268
	Total..	43	......	6	81	2	17	207	6	43	331
South Arcot, (Zillah of Cuddalore).	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	1	......	1	...	......	...	1
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account......	...	......	...	...	......	...	...	......	...	...
	Natives on their own account...	...	......	...	64	3	...	...	......	...	64
	Total...	...	......	...	65	3	1	...	......	...	65
South Canara, (Zillah of Mangalore).	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	9	3	...	...	......	...	...	......	...	9
	Planters...	...	......	...	...	......	...	1	......	...	1
	Europeans, merchants, or others on their own account...	...	......	...	1	......	...	...	......	...	1
	Natives on their own account...	31	......	2	11	......	...	14	......	1	56
	Total...	40	3	2	12	......	...	15	......	1	67

Statement showing the number and classes of Complaints under Act XIII of 1859, filed in the Madras Presidency, for the year 1864.—*(Continued.)*

Districts and Zillahs.	Trade or Profession of Prosecutors.	Trade or Profession of Defendants.									
		Artificers, including all skilled workmen.			Other workmen, including contractors for the performance of works, &c.			Laborers or Coolies.			Grand Total of cases.
		Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	Total number of cases.	Number of cases in which Defendants were imprisoned.	Number of cases in which security was taken.	
Tanjore, (Zillahs of Tanjore and Negapatam).	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	1	......	1	..	......	...	...	... .	...	1
	Natives on their own account...	2	1	1	3	......	3	...	......	...	5
	Total...	3	1	2	3	......	3	...	......	...	6
Tinnevelly...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company......	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	1	......	1	...	......	...	1
	Natives on their own account...	...	......	...	...	......	...	...	......	...	...
	Total...	...	......	...	1	......	1	...	......	...	1
Trichinopoly...	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	2	......	...	...	......	...	...	......	...	2
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	1	......	...	...	......	...	...	......	...	1
	Natives on their own account...	4	......	...	10	......	...	...	......	...	14
	Total...	7	......	...	10	......	...	...	......	...	17
Vizagapatam, (Zillah and Agency of Vizagapatam).	Employé or Agent on behalf of any department of the Government service, or of a Railway or other Company...	...	......	...	...	......	...	...	......	...	...
	Planters...	...	......	...	...	......	...	...	......	...	...
	Europeans, merchants, or others on their own account...	...	......	...	2	......	...	...	......	...	2
	Natives on their own account...	1	......	...	2	......	...	...	......	...	3
	Total...	1	......	...	4	.....	...	...	......	...	5
	Grand Total...	176	7	20	263	13	24	1426	44	47	1865
	Total number imprisoned...	...	64								
	Security taken...	...	91								

N. 8 - Chittoor, Court of Session
17th September 1864

From
C. A. Roberts Esqre
Session Judge of Chittoor
To
A. J. Arbuthnot Esqre
Chief Secretary to Government
Fort Saint George
Madras

Sir,

With reference to the Proceedings of the Madras Government under date the 10th May 1864 No. 678, I have the honor to report that no cases have been disposed of either by this Court or by the Magistrate of North Arcot or by his Subordinates under Act XIII of 1859 and (Madras) Act III of 1863 from 1st July 1863 to 30th June 1864 -

I have the honor to be
Sir
Your most obedient Servant
C. A. Roberts
Session Judge

Compd
Sdm

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: 10th May/64 Nos 83-84.

Judicial Rev. Deptt

From
A. Roberts Esqre
Session Judge of Chittoor

To
A. J. Arbuthnot Esqre
Chief Secretary to Govern:
ment
Fort St George

Dated 17th } September
Recd 19 } 1864

No 1930

Reporting that no cases have been disposed of under Act XIII of 1859 and Madras Act III of 1863 in his District

2
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Statement shewing the number and Classes of Cases under Act XIII of 1859 entered on the file of the Principal Sadr Amin of Rajahmundry from 1st January to 31st December 1864.

Trade or profession of Prosecutors.	Trade or profession of Defendants.															Grand Total of Cases	Remarks
	Artificers including all skilled workmen					Other workmen including contractors for the performance of work &c.					Labourers or Coolies.						
	Total number of cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken	Adjusted by withdrawals or Razinamas	Dismissed	Total number of cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken	Adjusted by withdrawals or Razinamas	Dismissed	Total number of cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken	Adjusted by withdrawals or Razinamas	Dismissed		
Employe or agent on behalf of any Department of the Government Service or of a Railway or other Company	3	"	"	2	1	"	"	"	"	"	"	"	"	"	"	3	Most of these cases having been compromised, I do not think that the Act presses with undue severity on any particular class of persons.
Planters	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	"	
Europeans, Merchants or others on their own account	4	"	"	3	1	2	"	"	1	1	"	"	"	"	"	6	
Natives on their own account	12	"	"	12	"	14	"	"	13	1	6	"	"	6	"	32	
Total	19	"	"	17	2	16	"	"	14	2	6	"	"	6	"	41	

Enclosure 1

Rajahmundry
Session Court
1st January 1865

J. R. Kindersley
Acting Session Judge

9

Enclosure 1.
In a letter from the
Ag. Session Judge of Oota-
camund dated 25th
February 1865.

Statement of the Number
and classes of Cases
under Act XIII of 1859
entered on the files
of the Joint Magistrate
of Wellington and Coonoor
during the year
1864.

Dated 7 } January 1865
Recd 5 }

Recd. G. S. D.
No. 496

Judicial 1865 Departt.

From
The Ag. Session Judge
of Rajahmundry
The Chief Secy. to Govt.
Fort St. George
Madras.

S. No. 111

Dated 1st } January 1865
Recd: 26 }

No
Enclosures none

No. 188

Statement shewing the number and classes of Cases under Act XIII of 1859 entered on the file of the Principal Sudder Ameen of Rajahmundry, for the year 1864.

Statement shewing the Number and Classes of Cases under Act XIII of 1859 entered on the files of the Joint Magistrate of Wellington and Coonoor during the year 1864.

Trade or profession of Prosecutor	Trade or profession of Defendants										Remarks
	Artificers, including all skilled workmen			Other workmen, including contractors for the performance of works &c			Laborers or Coolies.				
	Total number of Cases	Total number of Cases in which Defendants were imprisoned	Total number of Cases in which security was taken	Total number of Cases	Total number of Cases in which Defendants were imprisoned	Total number of Cases in which security was taken	Total number of Cases	Total number of Cases in which Defendants were imprisoned	Total number of Cases in which security was given	Grand Total of Cases	
loye or agent on behalf of any artment of the Government ices or of a Railway or other pany.	"	"	"	"	"	"	"	"	"	"	A loss of rupees 270 was sustained by complainants in advances given to the six Prisoners imprisoned.
ankers.	"	"	"	3	1	"	5	5	"	8	The Joint Magistrate of Wellington and Coonoor considers that no verbal agreement ought to be allowed - and recommends that the word "verbal" be expunged from Section IV of Act XIII of 1859. as it leads to unfounded claims -
cans, Merchants or others, heir own account.	"	"	"	"	"	"	4	"	1	4	
atives on their own account.	1	"	"	"	"	"	16	"	"	17	
Total	1	"	"	3	1	"	25	5	1	29.	

Wellington
Joint Magistrate's Office
7th January 1865

F. Young Lieutenant Colonel
Joint Magistrate of Wellington and Coonoor

Statement shewing the number and classes of complaints under Act XIII of 1859 and (Madras) Act III of 1863, filed before the District Magistrate and his subordinates in the South Canara District during the year 1864.

<table>
<tr><th rowspan="3">Trade or Profession of Prosecutors</th><th colspan="9">Trade or Profession of Defendants.</th><th rowspan="3">Grand Total of Cases.</th><th rowspan="3">Remarks.</th></tr>
<tr><th colspan="3">Artificers including all skilled workmen.</th><th colspan="3">Other workmen including contractors for the performance of work &c.</th><th colspan="3">Laborers or Coolies.</th></tr>
<tr><th>Total number of Cases.</th><th>No. of cases in which defts: were imprisoned.</th><th>No. of cases in which security was taken.</th><th>Total number of Cases.</th><th>No. of Cases in which defts: were imprisoned.</th><th>No. of cases in which security was taken.</th><th>Total number of Cases.</th><th>No. of cases in which defts: were imprisoned.</th><th>No. of cases in which security was taken.</th></tr>
<tr><td>By the District Magistrate.</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td></td></tr>
<tr><td>By the Head Assistant Magistrate.</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>Employé or Agent on behalf of any Department of the Government service, or of Railway or other Company</td><td>9</td><td>3</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>9</td><td>In these 9 cases the complainant was a member of the D. P. W.</td></tr>
<tr><td>Planters</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>1</td><td>"</td><td>"</td><td>1</td><td></td></tr>
<tr><td>Europeans, Merchants or others on their own account</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td></td></tr>
<tr><td>Natives on their own account</td><td>1</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>1</td><td></td></tr>
<tr><td>By the Deputy Magistrate</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td>"</td><td></td></tr>
<tr><td>Total</td><td>10</td><td>3</td><td>"</td><td>"</td><td>"</td><td>"</td><td>1</td><td>"</td><td>"</td><td>11</td><td></td></tr>
</table>

S. Canara District Magistrate's Office,
Mangalore
11th January 1865.

G. Lee Morris
District Magistrate.

Enclosure

In a letter from the Civil Judge of Canara to the Chief Secretary to Government Fort St George Dated 23rd January 1865

No 19

Statement alluded to in the above letter

Jud^l 1/65 Dept
No 189

14

No 1.

District Magistrate's Office,
Mangalore, 13th January 1865.

From,

G. Lee: Morris Esq^r
District Magistrate of S. Canara

To

The Hon'ble A. J. Arbuthnot Esq^r
Chief Secretary to Government
Fort Saint George

Sir,

With reference to the Proceedings of Government dated 10th May 1864, No 678, I have the honor to forward herewith a Statement shewing the number and nature of the cases under Act XIII of 1859 and (Madras) Act III of 1863, disposed of by the Magistracy in the District, during the year 1864.

I have the honor to be
Sir,
Your Most obedient Servt.

G. Lee Morris
District Magistrate.

Ex/M

Trade or profession of Prosecutor	Artificers including all skilled workmen			Other workmen including Contractors for the performance of works &c.			Labourers or Coolies			Grand total of C
	Total number of Cases	No. of Cases in which defendants were imprisoned	Number of Cases in which security was taken	Total number of Cases	Number of Cases in which defendants were imprisoned	Number of Cases in which security was taken	Total number of Cases	Number of Cases in which defts were imprisoned	Number of Cases in which security was taken	
	By the Session Court. None									
	By the Principal Sadr Amin									
Employe or Agent on behalf of any Dept. of the Govt. Service or of a Railway or other Company	"	"	"	"	"	"	"	"	"	"
Planters	"	"	"	"	"	"	"	"	"	"
European Merchants or other on their own account	"	"	1	"	"	"	"	"	"	1
Natives on their own account	1	1	"	3	"	3	"	"	"	4
Total	1	1	"	3	"	3	"	"	"	6

[illegible]
14th January 1865

E. W. Bird
Session Judge

Pro: 10th May 1864 No. 83—84
" 2nd March " No. 45—46
" 29th Feby " No. 239.
Mis: 15th Decr " No. 84—85

Jud. 1865 Dept.

No. 1082

From,
The Magistrate
of South Canara

To,
The Chief Secretary
to Government.
Fort St. George

Dated 13th } Jany. 1865
Recd - 18. }

No. 1
Enclosure 1.

No. 109

Forwarding with reference to the Proceedings of Govt. dated 10th May 1864 a statement shewing the number & nature of the cases under Act XIII of 1859 & Madras Act III of 1863 disposed of by the Magistracy in the District during the year 1864.

Tanjore dated 14
January 1865

Statement of the
number of cases decided
under Act XIII of 1859
Encl. 8
No. 11

No. 42. Tanjore
14th January 1865

From
E. W. Bird Esquire
Session Judge of
Tanjore

To
The Hon'ble A. J. Arbuthnot
Chief Secretary to Government
Fort Saint George

Sir,

I have the honor to forward, in the form prescribed, the statement called for by Government in their order of the 10th May 1864, No. 678. From this it will be seen that, during the year 1864 only one case was filed and disposed of in the Principal Sudr Ameen's Court at Tanjore under Act XIII of 1859.

2. Government in their notification of the 25th August 1859 directed that, at judicial stations, complaints in respect of Breach of Contract should be preferred to the Principal Sudr Ameen. I have however,

reason

Statement showing the number & classes of cases under Act XIII of 1859 and (Madras) Act III of 1863 entered on the file of the Court of the Principal Sudder Ameen of Mangalore during the year 1864,- as called for in the Proceedings of the Madras Government, dated 10th May 1864.

Trade or profession of Prosecutor	Trade or profession of Defendants																		Grand Total of cases	Remarks
	Artificers including all skilled workmen						Other workmen, including contractors for the performance of works &c						Laborers or Coolies							
	Total No. of cases	No. of cases in which Defts. were imprisoned	No. of cases in which security was taken	No. of cases in which Defts. entering into recognizance without security	No. of cases in which Defts. were ordered to repay the money advanced	No. of cases in which complaints were otherwise disposed of	Total No. of cases	No. of cases in which Defts. were imprisoned	No. of cases in which security was taken	No. of cases in which Defts. entering into recognizance without security	No. of cases in which Defts. were ordered to repay the money advanced	No. of cases in which complaints were otherwise disposed of	Total No. of cases	No. of cases in which Defts. were imprisoned	No. of cases in which security was taken	No. of cases in which Defts. entering into recognizance without security	No. of cases in which Defts. were ordered to repay the money advanced	No. of cases in which complaints were otherwise disposed of		
Employé or Agent on behalf of any Department of the Govern^t. Service, or of a Railway or other Company	″	″	″	″	″	″	″	″	″	″	″	″	″	″	″	″	″	″	″	Of the 23 otherwise disposed of 2 were dismissed on inquiry. 4 ditto as not being within the limits of the town of Mangalore 5 ditto in consequence of the accused not being found. 9 ditto as not falling under the provisions of the Act. 3 withdrawn by the Prosecutors. 23
Planters	″	″	″	″	″	″	″	″	″	″	″	″	1	″	″	″	″	″	″	
Europeans, Merchants or others on their own account	″	″	″	″	″	″	1	″	″	″	1	″	″	″	″	″	″	″	1.	
Natives, on their own account	30	″	2	15	3	10	11	″	″	2	2	7	14	″	1	7	″	6	55	
Total	30	″	2	15	3	10	12	″		2	3	7	14	″	1	7	″	6	56.	

Prinl. Sudder Ameen's Court,
Mangalore,
16 January 1865.

M J Walhouse
Session Judge

L S Rosario.
Principal Sudder Ameen.

Exd C.C.

Pros: 10th May 1864 No 33 – 84
~~" 2d March " No 445 – 465~~
~~" 29th Feby " No 289~~
Mis 15th Decr " No 34 – 35.

Jud^l 1865 Dept

From

The Session Judge of
Tanjore

To

The Chief Secretary to Govt
Fort Saint George

8 No 108

Dated 14th } January 1865
Received 18th }

No 42.

Enclosure 1.

No 111

M, 18

Reporting on the working of Act XIII of 1859 & forwarding a statement of the number of cases disposed of in 1864.

Statement shewing the Number and Classes of Cases under Act XIII of 1859 Entered on the file of the Sessions Court of Nellore during the Year 1864.

Trade or profession of Prosecutor.	Trade or profession of Defendants.									Grand total of Cases.	Remarks
	Artificers including all skilled workmen.			Other workmen, including Contractors for the performance of Works &ca			Labourers or Coolies				
	Total Number of Cases.	No. of Cases in which Defts were impd.	No of Cases in which security was taken	Total No. of Cases	No of Cases in which Defts were imprisoned.	No of Cases in which security was taken	Total No. of Cases	No of Cases in which Defts were imprisoned.	No. of Cases in which security was taken		
	″	″	″	-	.	.	-	-	-	.	
	.	.	.	.	.	.	.	.	.	.	
	″	.	.	.	.	.	.	.	.	.	
	″	-	.	.	.	.	.	.	.	.	
	.	.	.	.	.	.	.	.	.	.	

Zillah Court Nellore }
20th January 1865 }

Sessions Judge

Statement showing the number and Classes of Cases under Act XIII of 1859 and/Madras Act III of 1863 entered in the file of the Court of the Prinl. Sadr Ameen of Mangalore during the Year 1864.

Rs. 1853
No 229

Inc: 1.

In a letter from the Session Judge of Mangalore to the Chief Secretary to Government dated 26th January 1865.

A. J. K.

Regr 183 D8/63

From

The Sessions Judge

Trichinopoly

To

The Chief Secy to Govt

Fort St. George

Dated 20th Jan: 1865

Recd 23 "

No 146

Statement of

Cases under

Act XIII of 1859

during 1864.

Pro: 10th May/64 No 83-86

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18 41

Trichinopoly Session Court

20th January 1865.

No 18.

From

J. S. J. Harris Esquire

Session Judge of

Trichinopoly

To

The Honorable A. J. Arbuthnot.

Chief Secretary to Government

Fort Saint George

Sir,

Adverting to the Order of Government No 678 of the 10th May 1864, I have the honor to forward a Statement shewing the number of Cases filed under Act XIII of 1859 during the Year 1864.

I have the honor to be

Sir

Your most obedt Servt

Session Judge

Trichinopoly

Session Court

20th January 1865

To

The Honorable A. J. Arbuthnot

Chief Secretary to Government

Fort Saint George

Enclosure No. 1

In a letter from the Session Judge of Trichinopoly dated 20th Instant.

Statement shewing the No. and Classes of Cases under Act XIII of 1859 entered on the file of the Session Court of Trichinopoly during the year 1864.

Jud. Dept.
No. 156

Po: 10th May/64 Nos 83-84

Judicial 1865 Dept

From,
The Session Judge of Trichinopoly

To,
The Chief Secretary to Government Fort Saint George

Dated 20th
Recd. 24th } January 1865

No. 18.

Enclosure No. 1
No. 156

Forwarding a Statement shewing the No. of Cases filed under Act XIII of 1859 during the year 1864.

Statement showing the Number and classes of Cases under Act XIII of 1859 entered on file of the Session Court of Trichinopoly during the year 1864.

Trade or Profession of Prosecutors	Trade or profession of Defendants									Grand Total of Cases	Remarks
	Artificers including all skilled workmen.			Other workmen including contractors for the performance of work &c.			Labourers or Coolies				
	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken		
Employe or Agent on behalf of any Department of the Government Service or of a Railway or other Company.	"	"	"	"	"	"	"	"	"	"	+ Of these, the Defend in 8 Cases were dire to perform the wor according to the ter of the Contract or t repay the advance re by them, and 3 Cas were dismissed f default. The Act in question
Planters	"	"	"	"	"	"	"	"	"	"	
Europeans, merchants or others, on their own account	"	"	"	"	"	"	"	"	"	"	
Natives, on their own account	2	"	"	9	"	"	"	"	"	11 +	
Total	2	"	"	9	"	"	"	"	"	11	

does not appear to opera
unjustly or with undue
pressure on any cla
but would seem to be
beneficial and t
means of decreasing
litigation.

Trichinopoly
Session Court
20 January 1865

Smith
Session Judge

Calicut, 23rd January 1865

No. 14 / 1865

From,

H. D. Cook Esqre
Sessions Judge of Calicut

To

The Honble A. J. Arbuthnot Esqre
Chief Secretary to Government,
in the Judicial Department.
Fort St. George.

Sir,

With reference to the Proceedings of the Madras Government under date the 10th May 1864, No. 678 I have the honor to submit a statement of Cases filed before the Principal Sadr Amin's Court of Calicut and to state that no cases were filed in this or the Cochin Principal Sadr Amin's Court under Act XIII of 1859.

Sessions Court,
Calicut,
23rd January 1865

I have the honor to be,
Sir,
Your most Obdt Servant

H D Cook
Sessions Judge

E. C. L.

No

Mangalore 24th January 1864.

From

M. J. Walhouse Esqre
Civil and Session Judge of
Mangalore

To

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Fort Saint George

Sir,

*Directing submission of Returns for the year 1864 shewing the number of the cases disposed of under Act XIII of 1859 and (Madras) Act III of 1863.

With reference to the Proceedings* of the Madras Government under date the 10th May 1864, No 678, I have the honor to forward herewith a statement shewing the number and classes of cases under Act XIII of 1859 and (Madras) Act III of 1863 entered on the File of the Court of the Principal Sadr Amin of Mangalore during the year 1864, and to state that no cases of the above description have been disposed of by this Court.

I have the honor to be,
Sir,
Your most obedient servant,
M. J. Walhouse
Civil and Session Judge

Exd.

Judicial No 3 Deptt
~~No~~ 1848
From
The Civil Judge of Calicut
To
The Chief Secretary to Govt
in the
Judicial Department
Fort St George
Dated 23rd } January
Recd 26 } 1865
No 189
No 19
Encl 1
Submitting a Statement of Cases filed before the Principal Sadr Amin's Court of Calicut under Act XIII of 1859.

Judicial 1803 Deptt
From
The Session Judge of
Mangalore.
O.O. No. 1064
To
The Chief Secretary to Govt.
Fort Saint George.
Dated 24th
Recd 31st Jany 65.
Reg. No.
Enc: 1
A 229

Forwarding a Statement showing the number and classes of Cases under Act XIII of 1859 and (Madras) Act III of 1863 returned on the file of the Court of the Principal Sudr Ameen of Mangalore during the year 1864.

No. 53

Tinnevelly Sessions Court
25th January 1865.

From
J. H. Goldie Esqre
Session Judge of
Tinnevelly

To
The Honorable A. J. Arbuthnot
Chief Secretary to Government
Judicial Department
Fort Saint George.

Sir,

I have the honor to state that the statement of cases disposed of by the Officiating Principal Sudr Ameen under Act XIII of 1859 has not been submitted, because it appears from the return made by him that no cases were decided by him during the year 1864.

I have the honor to be
Sir
Your Most Obedt. Servant

J. H. Goldie
Session Judge

26

Cases disposed of under Act XIII of 1859 in the zillah of Tanjore during the Year 1864

Trade or Profession of Prosecutors	Trade or Profession of Defendants									Grand total of Cases
	Artificers including all skilled workmen			Other workmen including contractors for the performance of work &c.			Labourers or Coolies			
	Total number of Cases	No. of Cases in which the Defendants were imprisoned	No. of Cases in which security was taken	Total No. of Cases	No. of cases in which the Defendants were imprisoned	No. of cases in which security was taken	Total number of Cases	No. of cases in which the Defendants were imprisoned	No. of Cases in which security was taken	
European on his own account	1	"	1	"	"	"	"	"	"	1
Natives on their own accounts	1	"	1	3	"	3	"	"	"	4
Total	2	"	2	3	"	3	"	"	"	5

Tanjore Magistrate's Office
25th January 1865

Magistrate

1865 Judicial Department

File no 1862

From
The Session Judge of
Tinnevelly

To
The Chief Secretary to
Government
Fort Saint George

Dated 25th January 1865
Recd. 31st — " —
No. 53

Enclosure None

No. 236

States that no cases were disposed of by the Principal Sudder Ameen under Act XIII of 1859 during the year 1864.

31

l. 1865 Department

From
The Magistte of Tanjore
To
The Chief Secretary to Government Madras

Dated 25th } January 1865
Received 31 }

31

No 239

Cases disposed of under Act XIII of 1859 in the Zillah of Tanjore during the year 1864.

Statement shewing the number and classes of Cases under Act XIII of 1859 entered on the files of the Magistracy in the District of Cuddapah for the year 1864 as required by the order of Government dated 1st May 1864 No 678.

Trade or profession of Prosecutor.	Trade or profession of Defendants									Grand Total of Cases.	Remarks.
	Artificers including all Skilled workmen			Other workmen, including Contractors for the performance of works &ca			Labourers or Coolies				
	Total No. of Cases	No. of Cases in which Defendants were imprisoned.	No. of cases in which security was taken	Total No. of Cases	No. of cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of cases in which Security was taken.		
	By the Magistrate, Joint Magistrate, Assistant Magistrate & 1st Class Deputy Magistrate None. By the Head Assistant Magistrate.										
Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company.	"	"	"	5	"	"	"	"	"	5.	
Planters	"	"	"	"	"	"	"	"	"	"	
European Merchants or other on their own accounts	"	"	"	"	"	"	"	"	"	"	
Natives on their own account	"	"	"	"	"	"	"	"	"	"	
Total	"	"	"	5	"	"	"	"	"	5.	

Cuddapah Magistrate Office
On Circuit at Duvur
26th January 1865

Exd [illegible] Clk

Smith
Acting Magistrate

STATEMENT *showing the number and classes of cases under Act XIII of* 1859 *entered on the files of the* Magistrate of Vizagapatam and the Officers Subordinate to him and disposed of by them respectively *from the introduction of the Act in August* 1859, *up to the end of the 2nd Quarter of* 1863. from 1st January to 31st December 1864

TRADE OR PROFESSION OF PROSECUTOR.	TRADE OR PROFESSION OF DEFENDANTS.									Grand Total of cases.	REMARKS.
	ARTIFICERS, INCLUDING ALL SKILLED WORKMEN.			OTHER WORKMEN, INCLUDING CONTRACTORS FOR THE PERFORMANCE OF WORKS, &c.			LABOURERS OR COOLIES.				
	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.		
EMPLOYE OR AGENT ON BEHALF OF ANY DEPARTMENT OF THE GOVERNMENT SERVICE OR OF A RAILWAY OR OTHER COMPANY.	"	"	"	"	"	"	"	"	"	"	"
PLANTERS……………………………	"	"	"	"	"	"	"	"	"	"	
EUROPEANS, MERCHANTS OR OTHERS, ON THEIR OWN ACCOUNT.	"	"	"	2	"	"	"	"	"	2	
NATIVES, ON THEIR OWN ACCOUNT…	1	"	"	2.	"	"	"	"	"	3	
TOTAL…	1	"	"	4	"	"	"	"	"	5	

Vizagapatam
26th January 1865

To The Chief Secretary to Govt.
with reference to [illegible] No. 1299. Fort St George

Magistrate

Judicial 1865
Deposits
From The Act. Magistrate
Vizagapatam
To The Chief Secretary
to Government
F. S. George
Dated 26th January
Recd 31st January 1865
No. 228
Statement showing the number and classes of cases under Act XIII of 1859 entered on the files of the Magistrate in the District of Vizagapatam for the year 1864 as required by the order of Government dated 12th May 1864 No. 678.

Statement showing the number and nature of cases disposed of by the Magistrate and the Officers subordinate to him under Act XIII of 1859, and (Madras) Act III of 1863, from 1st January to 31st December 1864.

Trade or Profession of Prosecutor.	Trade or Profession of Defendants.										
	Artificers including all skilled workmen.			Other workmen including contractors for the performance of works &c.			Laborers or Coolies				
	Total number of cases.	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken.	Grand total of Cases.	Remarks.
Employee or Agent on behalf of any Department of the Government service or of a railway or other Company	-	-	-	-	-	-	-	-	-	-	This Return was sent under cover to Chief Secy. on 26th January - as was intimated on the 21st February in reply to the Under Secy's first Memo: of 15th idem No 68. A copy is now sent, in consequence of the Under Secy's second Memo of 7th March instant, No 114.
Planters	-	-	-	-	-	-	-	-	-	-	
Europeans - Merchants or others, on their own account	-	-	-	2	-	-	-	-	-	2	
Natives, on their own account	1	-	-	2	-	-	-	-	-	3	
Total.	1	-	-	4	-	-	-	-	-	5.	

Vizagapatam
Magistrates Office
26th January 1865

J. Griffin
Hd. Clk:

(Signed) D. F. Carmichael
Magistrate & Agent Governor

(True copy)

Vizagapatam D. F. Carmichael.
March 14th 1865. Magistrate & Agent Governor

1864 Judicial Dept

From
The Magistrate of
Vizagapatam

To
The Chief Secretary
to Government
Fort St. George

d/26th January 1865
Recd 3 February

No. 266

Statement shewing the number and classes of Cases under Act XIII of 1859 entered in the files of the Magistrate and the Officers subordinate to him and disposed of by them respectively from 1st January to 31st December 1864

1865

Judicial Department

From

The Magistrate
and Agent to the Gov.
Viragapatam

To

The Under Secretary
to Government J. D.
Fort St George

dated 14th March 1865
Received 21 "

No 683

Statement showing the
number and nature of cases
disposed of by the Ma-
gistrate and the Officers
subordinate to him under
Act XIII of 1859 and
Madras Act III of 1863
from 1st January to 31st
December 1864.

See a letter from
the Magistrate of
North Arcot to the
Chief Secretary to
Government dated
2d February 1865 No
3

Statement showin
the number & class
of cases under act
XIII & Madras act
III of 1863 entered in
the files of the Magis-
trary in the District
of North Arcot for
the year 1864.

Jud. J.O.S.D
No 298

Statement showing the number and classes of Cases under Act XIII and (Madras) Act III of 1863 entered on files of the Magistracy in the District of North Arcot for the year 1864 -

Trade or profession of Prosecutor.	Trade or Profession of Defendants.									Grand Total of Cases	Remarks.
	Artificers, including all skilled workmen -			Other workmen including contractors for the performance of works &c. -			Labourers or Coolies.				
	Total No. of Cases.	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken		
Employe or Agent on behalf of any Department of the Govt. service or of a Railway or other Company	„	„	„	1	„	1	„	„	„	1	
Planters	„	„	„	„	„	-	„	„	„	„	
Europeans, Merchants or others on their own account - - - - - -	„	„	„	1	„	-	„	„	„	1	
Natives on their own account - - - -	„	„	„	4	„	-	„	„	„	4	
Total	„	„	„	6	„	1	„	„	„	6	

North Arcot
Magistrate's Office on Circuit
Kavéripak Tank Bund
2d February 1865

Robinson
Magistrate

Exd M D Raja
H. C.

No. 3

North Arcot
Magistrate's Office
on Circuit
Kávéripak Tank Bund
2d. February 1865

From

J. D. Robinson Esquire
Magistrate of North Arcot.

To The Honourable A. J. Arbuthnot
Chief Secretary to Government
Fort St. George

Sir,

I have the honor with reference to the order of Government dated 10th. May 1864 No. 678 to submit a Return in the prescribed form showing the number and nature of the cases disposed of by the Magistracy in this District under Act XIII of 1859 and Madras Act III of 1863 during the year 1864.

I have the honor to be
Sir
Your Most obedt. Servant
J. Robinson
Magistrate

To
The Honble. A. J. Arbuthnot
Chief Secretary to Government
Fort Saint George

Statement shewing the Number and Claſses of Complaints under Act XIV of 1859 filed in the Seſsions Court and in the Court of the Principal Sudr Ameen of Salem during the Year 1864

Trade or profession of Prosecutors.	Trade or profession of Defendants									Grand Total of Cases.	Amount of fees paid on processes issued under (Madras) Act III of 1863			Remarks
	Artificers including all skilled workmen			Other workmen including contractors for the performance of works &c.			Laborers or Coolies							
	Total Number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total of Number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total Number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken					
Seſsion Judge	"	"	"	"	"	"	"	"	"	a	a	a	a	
Principal Sudr Ameen: Employe or Agent on behalf any department of Government service or of a Railway or other Company	a	"	"	"	a	a	"	a	a	a	a	a	a	
Planters	"	"	"	"	"	"	"	"	"	"	"	a	a	
Europeans, Merchants or others on their own Account	a	a	a	1	a	a	a	a	a	1	1	a	a	
Natives on their own Account	10	a	a	6	"	"	29	a	a	45	59	a	a	
	10	a	a	7	a	"	29	a	a	46	60	a	a	

Salem Seſsion Court
2d February 1865

A. C. Sullivan
Ag. Seſsion Judge

No. 28-

Cuddalore Civil Court
2nd February 1865

From,

George Ellis Esquire
Civil Judge
Cuddalore,

To,

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Madras

Sir,

With reference to the under Secretary's Memorandum dated 31st Ultimo I have the honor to report that there are no courts subordinate to the Sessions Court exercising the powers under the provisions of Act XIII of 1859 and Madras Act III of 1863.

I have the honor to be
Sir,
Your most obedient Servant

Cuddalore
Civil Court
2nd February 1865

George Ellis
Civil Judge

Examd
Moottoosamy Pillay
Offg Eng Writer

From
The Civil Judge
of Cuddalore

~~on 1864~~

The Under Secretary
to Government
Madras

Dated 2nd February
Recd 4th " 1865-

1064

No. 283-

Statement showing
the number of
complaints under Act
XIII of 1859 filed in the
Sessions Court in the
Court of the Principal
Sudr Ameen during
the year 1864

No 17

Sessions Court Bellary
3rd February 1865.

From,

R. Davidson Esquire,
Ag Session Judge, Bellary.

To,

C. G. Walker Esquire,
Under Secretary to Government,
Fort Saint George.

Sir,

I have the honor to inclose the Return (blank) called for in your Official Memorandum dated 31st Ultimo, No 39, and to state that it was inadvertently forwarded to the High Court on the 27th Ultimo instead of direct to Government.

I have the honor to be,
Sir,
Your Most Obedt Servt

Ag Session Judge.

Exd R.S. Hd Clerk

1863 Dep
From,
The Civil Judg
Cuddalore

To
The chief Secretary
to Government
Madra

Dated 2d } Februar
Received 4 } 1865

No 281 Rec 28

Reporting tha
the Sessions Courts sub-
=ordinate to the Sessi
Court exercising the
powers under the
provisions of Act
XIII of 1859 and Madra
Act III of 1863.

Statement showing the number and classes of cases under Act XIII of 1859 and Madras Act
of 1863
on the file of the Sessions Court during the year 1864.

Trade or Profession of Prosecutor.	Trade or profession of Defendants.									Grand Total of Cases.	Remarks.
	Artificers, including all Skilled Workmen.			Other Workmen, including Contractors for the performance of works, &c.			Laborers or Coolies				
	Total number of Cases.	No. of Cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.	Total number of Cases.	No. of Cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.	Total number of Cases.	No. of Cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.		
Employe or Agent on behalf of any Department of the Government Service or of a Railway or other Company.	"	"	"	"	"	"	"	"	"	"	From my experience in other Districts I am of opinion that the Act does not in any way operate unjustly or with undue pressure on any class.
Planters	"	"	"	"	"	"	"	"	"	"	
Europeans, Merchants or others, on their own account.	"	"	"	"	"	"	"	"	"	"	
Natives, on their own Account	"	"	"	"	"	"	"	"	"	"	
Total	"	"	"	"	"	"	"	"	"	"	

Sessions Court Bellary
3rd February 1865

Acting Sessions Judge

Judicial / 1865 / Deptt

From
The Ag Session Judge
of Bellary.

To the Under Secretary
to Govt
Judicial Deptt

Dated 3rd February /65
Recd - 6th

No 17
Enclosure one

No 295
Forwarding a (blank) Statement of Complaints filed in the Sessions Court under Act XIII of 1859 and Madras Act III of 1863 — during 1864.

Enclosure
In a letter from the Ag
Session Judge of Bellary
dated 3d February 1865
No. 17.

No. 1

Statement showing the
number & classes of cases
under Act XIII of 1859
& Madras Act III of
1863 entered on the file
of Sessions Court of Bellary
during the year 1864

Memo:

Your Memo of the 31st January 1865 No. 39.

The Session Judge has the honor to state that the Magistrate of Coimbatore has this day been called upon to transmit the Return showing the operation of Act XIII of 1859 and Madras Act III of 1863 for the year 1864 and as soon as it is received no time will be lost in submitting it to Government.

Coimbatore
Zila Court
3d February 1865

G. Harris
Session Judge

To
The Under Secretary to
Government
Fort St. George

Compd G. Worth

Judicial 1865 Dept.

8 Dec 1864

From The Session Judge of Coimbatore

To The Under Secretary to Government Fort St. George

Dated 3rd
Received 8 February 1865

No. 296

States that the Return shewing the operation of Act XIII of 1859 and Madras Act III of 1863 for the year 1864 will be submitted as soon as it is received from the Magistrate

N 6

Judicial 1865. Depart.

Dec. 1864

From,
A. C. R. McDonell Esq.
Offg Magistrate
Trichinopoly

To,
The Hon: A. J. Arbuthnot
Chief Secretary to
Government
Fort Saint George

Dated 3rd February/65
Recd 8
Received

No. 317 No 3.

Statement showing the number and class of cases under Act XIII of 1859 entered on files of the Magistrate's office in the District of Trichinopoly during the year 1864.

No 3.

Statement showing the number and classes of cases under Act XIII of 1859 entered on the files of the Magistrate's office of Trichinopoly during the year 1864—

Trade or Profession of Prosecutor—	Trade or Profession of defendants—									Grand total of cases—	Remarks—
	Artificers including all skilled workmen—			Other workmen including Contractors for the performance of works &c.—			Labourers or Coolies—				
	Total number of cases—	No of cases in which Defendants were imprisoned.	No of cases in which security was taken.	Total number of cases—	No of cases in which Defendants were imprisoned.	No of case in which security was taken—	Total number of cases—	No of cases in which Defendants were imprisoned.	No of cases in which security was taken—		
Quarter Master of H, M- 23rd Regiment L. I. on behalf of Government	1	..	..	..		..		..	..	1 a	(a) The Defendants in these cases were ordered to execute the work within a limited time—
Serjeant H. M 105th Foot on behalf of Government	1	..	..	..		..	..	..	..	1 a	
Planters—											
By East Indian on his own account—	1	..	..	..		..		..	..	1 b	(b) This case was dismissed for default—
" Natives on their own account—	2	..	..	1	..	..	..	..	..	3 a	

In 4 out of 6 cases the prescribed fee of one Rupee was levied; no summons was sent in the remaining cases as the Defendants concerned voluntarily appeared before the Court—

I am opinion that the provisions of Act XIII of 1859 do not in any way operate unjustly or with undue pressure on any class while on the other hand the enactment affords the best guarantee for an effectual and wholesome check against protracted and unreasonable delay and wanton failure on the part of workmen—

Trichinopoly
Magistrate's office
3rd February 1865—

Officiating Magistrate—

Compd. [illegible]

No. 107

Tranquebar,
3rd February 1865.

From
R. G. Clarke Esquire,
Session Judge of
Tranquebar

To
The Honorable A. J. Arbuthnot Esquire,
Chief Secretary to Government,
Fort Saint George.

Sir,

With reference to a Memorandum dated 31st January 1865 No. 39 received from the under Secretary to Government, Judicial Department, I have the honor to state that no complaints under Act XIII of 1859 and Madras Act III of 1863 were presented to this Court during the year 1864; and that the Magistrate of Tanjore has been requested to expedite the transmission of the Return due by him, which when received, will be submitted without delay.

I have the honor to be,
Sir,
Your most obedient Servant,
R. G. Clarke
Session Judge

Tranquebar
3rd February 1865.

Judicial Department

No. 20.

Memorandum.

With reference to the Official Memorandum of the Under Secretary to Government of the 31st Ultimo No. 39, the Sessions Judge of Tellicherry has the honor to state that no cases under Act XIII of 1859 or to which the provisions of Madras Act III of 1863 were applicable came before his Court or the Courts Subordinate to him during the year 1864.

2. The Sessions Judge requests that he may be furnished with a copy of the Proceedings of Government dated 10th May 1864 No. 678 as no such proceedings appear to have been received on the records of this Court.

Tellicherry
Session Court
3rd February 1865.

A. Sullivan
Session Judge

To

The Under Secretary to Government
Fort St. George

Judicl. 1865 Department.

From
The Session Judge of
Tranquebar.

To
The Chief Secretary to
Goverment Fort St.
George.

SO No. 1864

Dated 3rd February
Received 6th Do.
} 1865

No. 107

Enclosure — "

No. 301

Intimating that no complaints were preferred under Act XIII of 1859 and Madras Act III of 1863 during 1864 and that the report from Magistrate will be submitted when received

No 17

Malabar Magistrate's Court
Calicut 3rd February 1865.

From

G. A. Ballard Esqre
Magistrate of Malabar

To

The Honble A. J. Arbuthnot
Chief Secretary to Government
Fort St George.

Sir,

Of 31st Ultimo No 39.

With reference to the Under Secretary's Memo received yesterday, I regret to have to inform you that owing to a careless oversight in the Office, the returns called for have not yet been prepared, but they will be forwarded as soon as possible.

I have the honor to be,
Sir,
Your most Obt Servant,

G. A. Ballard
Magistrate.

Exd. D. S.

1865
Judicial Department

From the Session Judge
of Tellicherry

To the Under Secretary
to Government
Fort St George

Dated 6th February 1865

Recd. 16

No 297

States that the Case [illegible] Act XIII of 1859 [illegible]

1520.

N. 6

Judicial 1865 Deptt

To

The Chief Secy to Govt.

Fort St George

From

The Magte. of Malabar

Dated 3rd Feby } 1865
Recd. 6th — }

No. 17

No. 302

Stating that the Return alluded to in the Under Secy's Memo of 31st Ultimo No. 39 has not been prepared yet & will be submitted as soon as possible.

No. 46

Chinglepat Session Court.
3rd February 1865.

From

J. G. Thompson Esquire
Acting Session Judge of
Chingleput,

To

The Honorable A. J. Arbuthnot
Chief Secretary to Government
Fort St. George,

Sir,

In reply to the Under Secretary's Memorandum of the 31st Ultimo, calling for the submission of the return required in the Proceedings of Government, dated 10th May last, No. 678, I have the honor to state that no Cases falling under Act XIII of 1859 and Madras Act III of 1863, ~~were~~ brought before, or tried by, the Session Judge during the Year 1864.

No. 39

I have the honor to be,
Sir,
Your Most Obedient Servant.
J. G. Thompson
Acting Session Judge.

Exd
T. Thorusawmy Pillay
Reader.

1865.
Judl. Departt.

1 No. 1 [illegible]

From
The Ag Session Judge
of Chingleput
To
The Chief Secretary
to Govt.
Fort St. George

Dated 3rd }
Recd 6th } February

6

Enclosure None.

No. 293

Stating that no Cases falling under Act 13/59 & Madras Act 3/63 were brought before or tried by the Session Judge during the year 1864.

U6

Statement shewing the number and classes of Complaints under Act XIII of 1859 filed in the Principal Sudr Ameen's Court of Madura during the year 1864.

Trade or profession of Prosecutors.	Trade or profession of Defendants									Grand Total of cases	Remarks.
	Artificers including all Skilled workmen			other workmen including contractors for the performance of works &c			Laborers or Coolies				
	Total number of cases	No of cases in which Defts were imprisoned	No of cases in which Security was taken	Total number of cases	No of cases in which Defts were imprisoned	No of cases in which Security was taken	Total number of cases	No of cases in which Defts were imprisoned	No of cases in which Security was taken		
Employee or Agent on behalf of any Department of the Government Service, or of a Railway or other Company	"	"	"	"	"	"	"	"	"	"	
Planters	"	"	"	"	"	"	"	"	"	"	
Europeans, merchants or others on their own account	"	"	"	"	"	"	"	"	"	"	+ The parties brought before the Court in some of these Cases were at the option of the Complainants ordered to repay the money advanced, whilst in Others they were directed likewise at the option of the Complainants to perform the work according to the terms of the Contract which orders Defendants did not fail to Comply with in all these Cases.
Natives on their own account	8	"	"	2	"	"	"	"	"	10+	
Total	8	"	"	2	"	"	"	"	"	10	N.B. In all these cases process was issued to the defts after the fee of one Rupee required by the Madras Act III of 1863 was deposited by the Prosecutors-

Principal Sudr Ameen

Madura Principal Sudder
Ameen's Court
4th February 1865

Compd

Enclosure 1

In a letter from the Acting Session Judge of Madura dated 8th February 1865. No. 58.

Statement showing the number and classes of complaints under Act XIII of 1859 filed in the Principal Sudder Ameen's Court of Madura during the year 1864

Red. 5/3 ~~5~~
No. 351

Enclosure in a letter

From,
The Principal Sudr. Ameen Madura

To,
The A. Sessions Judge Madura

Dated 4th February 1865

Read

Statement showing the number & classes of Complaints under Act XIII of 1859 filed in the P. S. A. Court during the year 1864.

Statement showing the number & classes of cases under Act XIII of 1859 entered on the file of the Session Court of Guntoor from 1st January to 31st December 1864.

Trade or profession of Prosecutor.	Trade or Profession of Defendants. Artificers including all skilled workmen. Total number of Cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Other workmen including Contractors for the performance of works &c. Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Labourers or Coolies. Total number of cases	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken	Grand Total of cases.	Remarks.
Employer or Agent on behalf of any department of the Government Service or of a Railway or other Company.	"	"	"	"	"	"	"	"	"	"	
Planters.	"	"	"	"	"	"	"	"	"	"	
Europeans, Merchants or others on their own account	"	"	"	"	"	"	"	"	"	"	
Natives on their own account.	"	"	"	"	"	"	"	"	"	"	
Total.	"	"	"	"	"	"	"	"	"	"	

Guntoor Session Court
6th February 1865.

Session Judge.

Judicial 1865 Departt

No. 1

From, W. Hodgson Esqre
Session Judge of
Guntoor

To The Honorable A. J. Arbuthnot
Chief Secretary to
Government
Fort Saint George

Dated 6th February } 1865
Received 11th " }

No. 347

Statement showing
the number & classes of
Cases under Act XIII of
1859 entered on the file of
the Session Court of Guntoor
from 1st January to 31st
December 1864.

Return Showing the Operations of all the Courts in the Zillah of Nundial, excepting those of the Magistracy, under Act XIII of 1859; & (Madras) Act III of 1863, for the year 1864 –

Trade or profeſsion of prosecutor –	Trade or Profeſsion of defendants.									Grand Total of Cases.	Remarks.
	Artificers, including all Skilled workmen –			Other workmen, Including contractors for the performance of works &c.			Labourers or Coolies.				
	Total Number of Cases.	No. of Cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.	Total Number of Cases.	No. of Cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.	Total Number of Cases.	No. of Cases in which Defendants were imprisoned.	No. of Cases in which Security was taken.		
Employe or agent on behalf of any Department of the Government Service or of a railway or other Company	„	„	„	„	„	„	„	„	„	„	
Planters	„	„	„	„	„	„	„	„	„	„	
Europeans, Merchants or others, on their own Account	„	„	„	„	„	„	„	„	„	„	— „ —
Natives, on their own Account	„	„	„	„	„	„	„	„	„	„	
Total	„	„	„	„	„	„	„	„	„	„	

Seſsions Court of Nundial,
Kurnool, 7th February 1865.

Seſsions Judge

Exd M. B. Raghaviah
Hd. Writer.

Jud^l.
1865. ~~Magt.~~ Deptt.

From
The Magistrate
Madura

To
The Chief Secretary
to Government
Fort St George

Dated 7th }
Recd. 11th } February 1865.
N^o. 355

Statement shewing the number and classes of cases under Act XIII of 1859 entered on the files of the Magistracy in the D^t. of Madura during the year 1864

Jud^l. N^o. 4.
1865 Deptt.

From,
The Session Judge
of Nundial,

To,
The Under Secretary
to Gov^t. Judicial Dept.
Fort St. George

N^o. 373 Madras

Dated 7th Feby 1865. }
Received 13th " " } 1 En

Submitting the return Showing the operation of Act XIII of 1859 and Act III of 1863, for the year 1864.

N 13

Statement showing the number and Classes of Complaints under act XIII of 1859 Filed in the Session Court of Vizagapatam from 1st. January to 31st December 1864, & Courts subordinate to it.

District and Zillah.	Trade or Profession of Prosecutor.	Trade Profession of Defendants.									
		Artificers including all Skilled workmen			Other workmen including contractors for the performance of works &ca			Laborers or Coolies.			
		Total number of Cases	No of Cases in which Defendants were imprisoned	No of Cases in which security was taken.	Total number of Cases	No of Cases in which Defendants were imprisoned	No of Cases in which security was taken.	Total number of Cases	No of Cases in which Defendants were imprisoned	No of Cases in which security was taken.	Grand Total of Cases.
Vizagapatam Zillah.				None.							

Vizagapatam
Session Court.
7th February 1865

Edwin Colett.
Session Judge

No 7

STATEMENT *showing the number and classes of cases under Act XIII of 1859 entered on the files of the* Session Judge *from the introduction of the Act in August 1859,* ~~*up to the end of the 2nd Quarter of 1863.*~~ for 1864

TRADE OR PROFESSION OF PROSECUTOR.	TRADE OR PROFESSION OF DEFENDANTS.									Grand Total of cases.	REMARKS.
	ARTIFICERS, INCLUDING ALL SKILLED WORKMEN.			OTHER WORKMEN, INCLUDING CONTRACTORS FOR THE PERFORMANCE OF WORKS, &C.			LABOURERS OR COOLIES.				
	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.		
EMPLOYE OR AGENT ON BEHALF OF ANY DEPARTMENT OF THE GOVERNMENT SERVICE OR OF A RAILWAY OR OTHER COMPANY.	..	..	..	..	..	..	..	..	..	..	No Cases under Act XIII of 1859 have been tried in this Court.
PLANTERS……	..	..	..	..	..	..	..	..	..	..	
EUROPEANS, MERCHANTS OR OTHERS, ON THEIR OWN ACCOUNT.	..	..	..	..	..	..	..	..	..	..	
NATIVES, ON THEIR OWN ACCOUNT…	..	..	..	..	..	..	..	..	..	..	
TOTAL…	..	..	..	..	..	..	..	..	..	..	

Berhampore
Session Court
8th February 1865

To C. G. Walker Esqre,
Under Secretary to Govt.,
Fort St. George.

H. Morris
Acting Session Judge

Judicial Department

From

The Session Judge
Vizagapatam

To

The Chief Secretary
to the Government
Fort Saint George

Dated 7th February } 1865
Received 16 " "

16

No 398

Statement showing the number and classes of Complaints under Act XIII of 1859 filed in the Session Court of Vizagapatam from 1st January to 31st December 1864 & Courts subordinate to it.

U 16

No — 1865 — [illegible] Dept
Government No.

[illegible]

From,
The Ag. Session Judge
of Berhampore

Dated 8th February 1865
Received 18 " "

No. 407.

Statement showing the number and classes of cases under Act XIII of 1859 entered on the files of the Session Judge from the introduction of the Act in August 1859 for 1864.

No. 13 -

46

Coimbatore Magistrates Office
8th February 1865.

From
P. Grant Esqr.
Magistrate of Coimbatore

To
C. G. Walker Esqr.
Under Secretary to Government

Sir

Adverting to your Memorandum of the 31st Ultimo No. 39. I have the honor to inform you that the information required for the preparation of the Return therein called for, has not been received in my Office from several of my Subordinates — I have called on them to submit the same without delay, and so soon as it is received, my General Statement will be prepared and submitted to Government.

I have the honor to be
Sir
Your most obedient Servt.

P. Grant
Magistrate

G.O. 27
14th March

No. 44

Statement showing the number & Classes of cases disposed of by the Magistracy in the District of Tinnevelly under Act XIII of 1859 and Madras Act III of 1863 for the 1864.

Trade or Profession of Prosecutor	Trade or Profession of Defendants									Grand total of cases	Remarks
	Artificers including all Skilled Workmen			Other workmen including contractors for the performance of works &c.			Labourers or Coolies				
	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken.		
Employe or Agent on behalf of any department of the Government service or of a Railway or other Company.	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	The knowledge, that breaches of contract can be ~~[illegible]~~ at once taken up & offenders made to bear due penalties, is attended with good results. only in one instance has it been found necessary to bring into force the provisions of Act 13 of 1859, altho' there are in this District numerous employers ready to establish their rights under this enactment should occasion require.
Planters	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	
European Merchants or others on their own account	〃	〃	〃	1	〃	1	〃	〃	〃	1	
Natives on their own account	〃	〃	〃	〃	〃	〃	〃	〃	〃	〃	
Total	〃	〃	〃	1	〃	1	〃	〃	〃	1	

Palumcottah
8th February
1865

Cd. J.J

Geo Banbury.
Asst. Magistrate

1865 Judl Department

From

The Magistrate of
Coimbatore -

S.No 1062

To

The Under Secretary to
Government -

Dated 8th }
Recd 13th } February 1865

13

No 613 No 374

Informs that the Return of Cases disposed of under Act XIII of 1859 will be forwarded as soon as the information required is received from the Subordinate Magtes -

M 15

1865 Dept.

From

The Offg. Magistrate
Tinnevelly

To

The Chief Secretary
to Government
Fort St. George

Dated 8th
Recd. 14th February 1865

No. 44
Enclosure None

No. 377

Statement showing
the number & classes
of cases disposed of
by the Magistracy in
the District of Tinnevelly
under Act XIII of 1859
& Madras Act III of 1863
for the year 1864.

48

No. 58
1865

Madura Session Court
8th February 1865

From,

I. D. Goldingham Esquire
Acting Session Judge of
Madura.

To,

The Honorable A. I. Arbuthnot
Chief Secretary to Government
Fort Saint George.

Honorable Sir,

With reference to the Under Secretary's Official Memorandum No. 39 of the 31st January 1865, I have the honor to state that there were no Cases tried in the Court of Session of the description referred to in the Proceedings of the Madras Government, Judicial Department, 10th May 1864, No. 678, during the year 1864; but I herein enclose the original Return received from the Principal Sudder Ameen shewing the number of Cases disposed of by him under Act XIII of 1859, and Madras Act III of 1863, in the year 1864.

I have the honor to be,
Honorable Sir,
Your most Obedient Servant

I. D. Goldingham
Acting Session Judge.

Exd J. W. Mason
Actg Hd Mr

1865

Judl. Department

From,

The Ag. Session Judge
Madura

To,

The Chief Secretary
to Government
Fort Saint George

Sepr No 10 [illegible]

Dated 8th February }
Received 11th " } 1865

No. 58

Enclosures - One

No. 357

States with reference to Under Secretary's memorandum No. 39 of the 31st January 1865, that there were no Cases tried in the Session Court, under Act XIII of 1859 & Madras Act III of 1863, and encloses an original Return showing the number of Cases disposed of by the Principal Sudder Ameen during 1864-

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Statement showing the number and Classes of cases under Act XIII of 1859 & Madras Act III of 1859 entered on the file of the Magistracy of Kurnool for the year 1864.

Trade or profession of Prosecutor	Trade or profession of Defendants									Grand Total of Cases	Remarks
	Artificers including all Skilled Workmen.			Other Workmen, including Contractors for the performance of Works &c.			Labourers or Coolies				
	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken		
Employe or Agent on behalf of any Department of the Govt. Service or of a Railway or other Company.	"	"	"	"	"	"	2	"	"	2	
Planters . . .	"	"	"	"	"	"	"	"	"	"	
Europeans, Merchants or others on their own account	"	"	"	"	"	"	1	"	"	1	
Natives on their own account.	"	"	"	8	1	"	1084	21	"	1092	
Total. . .	"	"	"	8	1	"	1087	21	"	1095	

Kurnool
Magistrate's Office }
8th February 1865 }

[illegible]
Head Clerk

James [illegible]
Magistrate

Statement showing the number and classes of cases under Act XIII of 1859 & Madras Act III of 1863 entered on the files of the Magistracy during the year 1864.

Trade or Profession of Prosecutor	Trade or profession of Defendants									Grand Total of Cases	Remark.
	Artificers including all skilled workmen			Other workmen including contractors for the performance of work			Laborers or coolies				
	Total number of cases	No of cases in which Defts were imprisoned.	No of cases in which security was taken.	Total number of cases.	No of cases in which Defts were imprisoned	No of cases in which security was taken	Total number of cases.	No of cases in which Defts were imprisoned	No of cases in which security was taken.		
Employe or Agent on behalf of any Department of the Government Service or of a Railway or other company	.	.	.	1	.	.	.	.	.	1	
Planters	.	.	.	.	.	.	.	.	.	.	
Europeans, Merchants or others on their own account	.	.	.	.	.	.	.	.	.	.	
Natives on their own account	8	1	1	.	.	.	2	.	.	10	
Total	8	1	1	1	.	.	2	.	.	11	

Godavery District
Magistrates office
Cocanada, 9th February 1865

J. Tease
Offg Magte

1865

Judicial Department

S. No. 106

From The Magistrate of
Kurnool
To The Chief Secretary to
Government
Fort Saint George

Dated 8th February 1865
Recd 13th — " —

No. 375

M 13

Statement showing the No & Classes of Cases under Act XIII of 1859 & Madras Act III of 1859 entered on the files of the Magistracy of Kurnool for the year 1864.

To

The Chief Secretary
to Government
Fort Saint George

Ex. P. [illegible]
E Clerk

Jud^l. 1863 Depart.

From

S. Dr. 1863

The Offg. Magte.
Godavery

To

The Chief Secy.
to Govt.
Fort Saint George

Dated 9th Feb. } 1865.
Recd. 16 " }

In Con.

No. 395

Under Cover

Statement of cases disposed of under Act XIII of 1859 & Madras Act III of 1863 during 1864

No. 19
1865.

Ootacamund, 10th Feby
1865.

From
The Joint Magistrate
Ootacamund

To
The Session Judge of
Ootacamund

Sir,

With reference to the enclosed memo dated 31st January 1865, I have the honor to inform you that my Vernacular clerk has gone down to Coimbatore to attend the General Test Examination and likewise obtained Privilege leave from me for a month from 1st Instant on account of his health – After his return the accounts will be prepared and despatched as soon as possible –

I have the honor to be,
Sir,
your most obedient Servt.
(Signed) W. Rose Campbell
Joint Magistrate

(True Copy)

W. W. Phillips
Acting Session Judge

Judicial 1865 Deptt

From

The Session Judge
of Cuddapah

To: The chief secretary to Govt

Date 16th February 1865.

Recd 20th — do

No. 417

Stating the classification
of the offences tried
under act XIII of 1859
during the year 1864

Enclosure 2.

In a letter from
the Session Judge of
Ootacamund, dated
25th February 1865.

Copy of a letter
addressed by the
Joint Magistrate
of Ootacamund to
the Session Judge of
Ootacamund.

Jud. 1865
No. 496

Statement shewing the Number and Classes of Cases under Act XIII of 1859 and Madras Act III of 1863 entered on the file of the Session and Principal Sudr Ameen Court of Cuddapah from 1st January to 31st December 1864

Trade or Profession of Prosecutors.	Trade or Profession of Defendants									
	Artificers including all skilled Workmen			Other workmen including contractors for the performance of works &c.			Labourers or coolies			
	Total number of Cases	No. of Cases in which Defendants were imprisoned.	No. of Cases in which security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Defendants were imprisoned.	Total number of Cases	No. of Cases in which Defendants were imprisoned.	No. of Cases in which security was taken.	Grand Total of Cases.
By the Court of Session By the Principal Sudr Ameen	"	"	"	"	"	"	"	"	"	"
Employe or Agent on behalf of any Department of the Government Service or of a Railway or other company	2	"	"	"	"	"	"	"	"	2
Planters	"	"	"	"	"	"	"	"	"	"
European merchants or others, on their own account	1	"	"	"	"	"	"	"	"	1
Natives on their own account	4	"	"	"	"	"	"	"	"	4
Total	7	"	"	"	"	"	"	"	"	7

No cases having been brought before me I append a copy of the remark by the Principal Sudr Ameen.

The Magistrate has reported that he has sent his report direct.

"During the year 1864" "seven cases were instituted in this Court against" "artificers, for breach of" "Contract. They were all" "amicably adjusted on the" "issue of notice"

Cuddapah
Sessions Court
16th February 1865

Sessions Judge

Ganjam District
Magistrate's Office
Chetterpore 17th February
1865

No. 16

From,
E. B. Foorde Esquire
Acting Magistrate of
Ganjam

To
C. G. Walker Esqre
Under Secretary to Government
Madras

Sir,

With reference to your Memorandum No. 39 of the 31st Ultimo, I have the honor to submit the Statement called for in the Order of Government dated 10th May 1864 No. 678.

I have the honor to be
Sir,
Your Most Obedt. Servant

E. Foord
Acting Magistrate

xd G Narasimlu
Hd Gr

No. 39

Ganjam District, Governor
Agent's Office, Chicacole
17th February 1865.

From,

E. B. Foord, Esquire,

Acting Agent to the Governor
in Ganjam.

To,

C. G. Walker, Esquire,

Under Secretary to Government
Madras.

Sir,

With reference to your Memorandum No. 39 of the 31st ultimo I have the honor to report for the information of Government that no cases under Act XIII of 1859 were disposed of by me nor by my Assistants during the last year.

I have the honor to be
Sir
Your most obedient Servant

E. Foord

Actg. Agent to the Govr.

Judicial Department

No 1811

From
The Ag. Magistrate
of Ganjam
To
The Under Secretary
to Government
Madras
No. 49
Dated 17th Feby 1865
Received 27 do. do.
No. 16
Enclosure one
Submitting a Statement as called for
in Memorandum
No. 39 of the 31st
ultimo

Pro: Recd No. 39 1865 Dept.
Judl. No. 1164
from
The Agent to the
Governor in
Ganjam
No. 488
Dated 17 February 1865
Recd 27 do.
Enclosure (one)
Reporting that
no cases under
Act XIII of 1859
were disposed of
during the last
year.

68

Statement showing the number and Classes of Complaints under Act XIII of 1859 filed in the Principal Assistant Magistrates Office during the year 1864

District	Trade or Profession of Prosecutors.	Trade or Profession of Defendants									
		Artificers including all skilled workmen			Other workmen including contractors for the performance of Works &c			Laborers or Coolies			
		Total number of Cases	Number of Cases in which Defendants were imprisoned.	No of cases in which security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No of cases in which security was taken	Total number of cases	No of cases in which Defendants were imprisoned	No of cases in which security was taken	Grand total of cases
1	2	3	4	5	6	7	8	9	10	11	12
Ganjam District	Supervisor D. P. W.	"	"	"	"	"	"	1	"	"	1

Note.
Defendant is released promising to finish his work.

Ganjam District
Magistrate's Office
Chetterpore 17th February
1865

Actg. Magistrate

In a letter from the Magistrate of South Arcot dated 18th February 1865 No 14.

Statement showing the number and classes of Cases under Act XIII of 1859 entered on the files of the Magistracy of South Arcot in 1864

Jud. [illegible]
No 436

No. 14 From

Charles W. Reade Esqre
Magistrate of South Arcot

To

The Honble A. J. Arbuthnot
Chief Secretary to Government
Fort St. George

Sir,

I have the honor to submit in the prescribed form the Return for the past year in this District of the operation of Act XIII of 1859.

2 As compared with the similar Return for 1863 the Government will observe a very marked decrease in the number of cases which came before the Courts in the year under notice a result which may I think be attributed mainly to the preliminary fee leviable

from

Statement shewing the number a Classes of Cases under Act XIII of 1859 entered on the files of the M istracy of South Arcot in 1864.

District and Zillah	Trade and profession of Prosecutor	Trade or profession of Defendants: Artificers including all skilled workmen. Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Other workmen including contractors for the performance of works. Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Labourers & Coolies. Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Grand Total	Remarks
South Arcot / Zillah of Cuddalore	Employer or Agent on behalf of any Department of the Government Service or of a Railway or other Company —	-	-	-	+1	-	1	-	-	-	1	+ In this case the Superintendent of Police prosecuted a local Contractor for failure of his written engagement to build certain Police huts.
	Planters —	-	-	-	-	-	-	-	-	-	-	
	European Merchants or others on their own account —	-	-	-	-	-	-	-	-	-	-	
	Natives on their own account —		-	-	⊕64	3	-	-	-	-	64	⊕ In one of these cases a ryot was the Prosecutor & the Case was withdrawn — Two other Cases were dismissed as not falling under the Contract Act. Fifty seven cases were amicably settled, of which Fifty four were complaints of cloth Merchants against weavers for breach of their written agreements, and in all of these advances had been made either in part or in full & the materials were also furnished, two other cases were brought by a building Maistry against a Chunam Contracter & the other was for failure to make certain brass utensils — the remaining three cases out of the total number of Sixty four were convicted & punished as indicated in the Return in default of payment of fine —

South Arcot
Magistrate's Office
Parembay
18th February 1865

Charles Hinde
Magistrate

from Complainants under the local Act III of 1863-

3 The present Return calls for no special remark beyond those entered in it under the appropriate Column but I think the statement affords decisive evidence that the Contract Act has not operated unjustly or with undue pressure on any class while every care has been taken not to enforce it in cases other than those to which it strictly applied-

4 I have only again to repeat the opinion expressed in my last years Report that the value of the Act is to be estimated rather by the absence of Complaints than by their number and

any

any abuses to which the Law was open by the filing of Complaints "in terrorem" have I conceive been sufficiently checked by the provisions of the local Act - I of course speak of results as alone experienced in my own District although they will probably have been equally marked elsewhere-

5 I am not of opinion that in future there will be any necessity to entertain Batta Peons for the purposes of the Act as authorized by Government in their Proceedings under date the 10th May 1864 No 678 and accordingly from the 1st March next this expenditure will be discontinued and the Service of Processes will be at the cost of the

parties

parties Complaining as provided in the Act-

6 I may be permitted in Conclusion to express my entire Concurrence in the views of the Madras Government as conveyed in Para 6 of your letter to Government of India No 266 of the 29th February last, and I would venture the hope that a legislative measure which in my belief has proved so beneficial to all interests may be continued in force-

7 I much regret the delay in submitting this Report, the non receipt of the Returns from one of my subordinate Officers until this date and then incomplete in its information, has been the sole cause and the Officer in question has been

been Called upon for explanation but Government may be sure that there will be no recurrence of this delay and that future Returns will be submitted punctually-

South Arcot
Magtes Office
Parembay
18th February 1865

I have the honor to be
Sir
Your Most Obt. Servant

[illegible] Seale
Magistrate

~~183~~ 6N

No 13 From

Charles W. Reade Esqre
Magistrate of South Arcot

To

The Honble A. J. Arbuthnot
Chief Secretary to Government

Sir

I much regret the delay there has been in submitting the Returns required of the operation of Act XIII of 1859 - The delay has been caused solely by the omission of one of my subordinates to send in his Return until this very date, although repeatedly called for and it has now reached me in an incomplete state, but I have sent an express to Cuddalore to supply what is wanted — and I hope by tomorrows Post to forward the required Statement accompanied

by

Judicial 183 Dept
From
The Magistrate
of South Arcot
~~No~~ To
The Chief Secretary
to Government
Fort St. George
Dated 15th } Feby/60
Received 24th }
21
No 14
1 Enclosure
No 436
Submitting the Returns for the ~~year~~ of the operation of Act XIII of 1859 -

by my Report on the working
of the Act —

I have the honor to be
Sir
Your Most Obdt. Servant

South Arcot
Magtes' Office
Parembay
18th Feby: 1865

Archd Beale
Magistrate

Statement showing the number and nature of the Cases disposed of during the year 1864 by the Magistrate of Nellore and his subordinates under Act XIII of 1859 and (Madras) Act No. III of 1863.

Trade or Profession of Prosecutor	Trade or Profession of Defendants.									Grand Total of Cases.	Remarks.
	Artificers including all skilled workmen.			Other workmen including Contractors for the performance of work &c.			Laborers or Cases.				
	Total Number of Cases.	Number of cases in which Defendants were imprisoned	Number of cases in which Security was taken	Total Number of Cases.	Number of cases in which Defendants were imprisoned	Number of cases in which Security was taken	Total Number of Cases.	Number of cases in which Defendants were imprisoned	Number of Cases in which Security was taken		
Employé, or Agent on behalf of any Department of the Government Service, or of a Railway or other Company	"	"	"	1	"	"	"	"	"	1	The Defendants in this Case (3) were ordered to repay part of the money advanced
Planters	"	"	"	"	"	"	"	"	"	"	
Europeans, Merchants, or others on their own account.	"	"	"	1	"	"	"	"	"	1	The Defendant was ordered to get the work performed
Natives on their own account	"	"	"	"	"	"	1	"	"	1	Compromised.
Grand Total	"	"	"	2	"	"	1	"	"	3	

Nellore
Magistrate's Office
18th February 1865

To
The Honorable A. J. Arbuthnot
Chief Secretary to Government, Judicial Department
Fort Saint George

Magistrate

Judicial 1865 Deptt
From
The Magistrate
of South Arcot
No 118
To
The Chief Secretary
to Government
Fort St. George

Dated 18th
Received 20th } Feby/65

No 13
No. 425
Stating that he will submit his Report of the operation of Act XIII of 1859 by to-morrow Post –

Judicial 1863 Dept

From

The Magistrate of Nellore

To

The Chief Secy to Govt
Judicial Department
Fort St George

Jan. 1062

Dated 18
Despatched 18 } February 1865
Received 28th

No 435

Statement showing the number & nature of the Cases disposed of during the year 1864 by the Magistrate of Nellore and his Sub-ordinates under Act XIII

In a letter from the Ag: Magistrate of Salem dated 20th February 1865 No 6

Statement showing the number & classes of cases under Act XIII of 1859 entered on the files of the several Magistrates in the Salem District during the year 1864-

Ind. to S.D. No 457

Statement showing the number and Classes of cases under Act XIII of 1859 entered on the files of the several Magistrates in the Salem District during the year 1864.

Trade or Profession of Prosecutors	Trade or Profession of Defendant									Grand total of Cases	Remarks
	Artificers including all skilled workmen			Other workmen including contractors for the Performance of Works &c			Labourers or Coolies.				
	Total Number of Cases	No of cases in which Defendants were imprisoned	No of cases in which security was taken	Total Number of Cases	No of cases in which Defendants were imprisoned	No of cases in which security was taken	Total Number of Cases	No of cases in which Defendants were imprisoned	No of cases in which security was taken		
Employee or Agent on behalf of any Defendant of the Government Service or of a Railway or other Company	3	"	1	9	"	"	2	"	"	14	
Planters	3	"	3	6	"	6	33	6	27	42	
Europeans Merchants or others on their own account	3	"	1	2	"	"	1	"	"	6	
Natives on their own account	24	"	1	57	2	11	142	"	16	223	
Total	33	"	6	74	2	17	178	6	43	285	

Salem Magistrate's Office
20th February 1865

C. H. Pochin
Ag. Magistrate

No 6

Salem Magistrates Offi
20th February 1865

66

From

C. N. Pochin Esquire
Ag: Magistrate of
Salem

To

A. J. Arbuthnot Esquire
Chief Secretary to Governm
Madras

Sir,

With reference to the orders of Government dated 10th May 1864 No 698 I have the honor to submit the Returns in the prescribed form showing the number of cases disposed of by the several Magistr of the District, under the Breach of Contract Act during the year 1864.

2 The total number of cases filed during the year under report amount to 285 as shown in the margin.+ —

+ Magistrate's Divn	108
Joint Magt's Do	10
Hd Asstt Magt's Do	105
Dy Magt Namkul Do	4
Sub Magt Shevaroy Hills }	58
	285

3. It is gratifying to observe that out of these 285 cases only 8 were punished, and securi taken in 66, while the remaining have been withdrawn, or amicably settled. The introduction of Act XIII. of 1859. whereby cases originally cognizable by the Civil Court, are now triable by the Magistr has caused great relief, to Contractors and planters and as the disposal of such suits are now greatly accelerated.

4. As the Act becomes better known

and understood. I am of opinion that the number of cases will diminish.

5. The introduction of Act III of 1863 has in a great measure checked the institution of cases of a trifling nature, and prevented individuals from bringing forward complaint without some good cause, or ground. The provisions of this Act too have greatly aided in lightening the work imposed on the Police in the service of Processes and Summons.

6. The Contractors of this District are generally speaking of a wandering character. They engage themselves wherever they can get a chance of a large advance, constantly undertaking 2 or 3 contracts at the same time, without being able to carry any of them out, according to the terms of their agreement. Hence the number of suits. For the number of suits withdrawn, and amicably settled, would prove, that it was to cause merely delay, on the part of the Contractor, and not any intention to defraud the Plaintiff.

7. By Section II of the Act, the Magistrate has the power of requiring the Plaintiff to pay the sum of one Rupee for each person on whom he wishes a Process to be served, and the following Section allows the Magistrate in case of the Defendant being cast, to impose on him in addition to any penalty which he may inflict, under Act XIII. of 1859, a fine not exceeding one Rupee, to be paid over to the Plaintiff. My opinion is that it would not have been out of place had the Legislature granted to the Magistracy the same power as the Civil Courts enjoy, namely the awarding Costs. Supposing that the Plaintiff had during his suit spent some 8 or 10 Rupees in Processes he cannot consider himself remunerated should the case be given in his favor, by the receipt of one Rupee.

8. I am however of opinion that taking the Act as it stands from what has been experienced by it in this District, that it has worked satisfactorily.

I have the honor to be
Sir
Your Most Obedt. Servant

C. H. Pochin
Ag. Magistrate

Pro: 10th May 1864 Nos. 83—84

Jud.l 1865 Deptt.

From, The Ag: Magistrate of Salem,

To, The Chief Secretary to Govt., Madras,

5 Dec 1864

Dated 20th February 1865
Recd 22d —

No. 6

No. 457

Encl 1

Submitting the Return showing the number of cases disposed of by the several Magistrates of the District under the Breach of Contract Act during the year 1864.

Judicial 1865 Dept

From
The Magistrate of Madras District

To The Chief Secretary to Govt.
Fort St. George

Dated 21st }
Recd 24th } Feby 1865

24

No. 26

No. 475.

Statement shewing the number & Classes of Cases under Act XIII of 1859 entered in the file of the Magistracy of the Madras District during the year 1865

No. 1865 Department /

From
The Magistrate
Kistna District
To
The Secretary to the
Government Judicial
Department
Fort Saint George

Dated 21st February 1865
Received 27 "

No. 489
Statement showing
the number and classes
of cases under Act XIII
of 1859 entered on the
files of the Magistracy
in the Kistna District
for the year 1864.

Statement showing the number & classes of cases under Act XIII of 1859 entered on the file of the Magistracy of the Madras District during the year 1864.

Trade or Profession of Prosecutor	Trade or Profession of Defendants										
	Artificers including all skilled workmen			Other workmen including Contractors for the performance of works &c.			Labourers or Coolies			Grand Total	Remarks
	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	of Cases	
Magistrate Natives on their own account	"	"	"	"	"	"	4	"	"	4	3 Razeenamah 1 Dismissed.
Dt. Magistrate Natives on their own account	"	"	"	"	"	"	28	3	"	28	9 Razeenamah 16 Dismissed
Total	"	"	"	"	"	"	32	3	"	32	12 Razeenamah 17 Dismissed

Madras District
Magistrate's Office
[illegible] 21st Feb. 1865

Magistrate.

No cases of this description have been entertained by the Joint Magistrates at St. Thos. Mount, Palaveram & Chingleput.

Statement showing the number and classes of cases under Act XIII of 1859 entered on the files of the Magistracy in the Kistna District for the year 1864.

Trade or profession of Prosecutor	Trade and Profession of defendants.									Grand Total of Cases	Remarks.
	Artificers including all skilled workmen.			Other workmen including contractors for the performance of works &c.			Labourers or Coolies.				
	Total No. of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken.	Total No. of Cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Total No. of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken		
Employe or Agent on behalf of any Department of the Government Service or of a Railway or other Company..	"	"	"	"	"	"	"	"	"	"	
Planters	"	"	"	"	"	"	"	"	"	"	
Europeans Merchants or others on their own account	"	"	"	"	"	"	"	"	"	"	
Natives on their own account..	1	1	"	"	"	"	×7	1	"	8	
	1	1	"	"	"	"	×7	1	"	8	

× Of these 6 cases were disposed of as follows.

2 by Razeenamah
1 Dismissed.
1 Advance repaid
2 Execution of work ordered.
6

× N.B. Act III of 1865 has been duly observed

Kistna District
Magistrate's Court
Masulipatam
21st February 1865.

J Thornhill.
Magistrate

Statement shewing the number and classes of Cases under Act XIII of 1859 entered on the files of the different Magistrates in the Bellary District during the year 1864 -

Trade or Profession of Prosecutors	Trade or profession of defendants									Grand Total of Cases	Remarks.
	Artificers, including all skilled workmen			Other workmen including contractors for the performance of works &c.			Labourers or Coolies				
	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken		
Employee or agent on behalf of any Department of the Government Service or of a Railway or other Company	„	„	„	1 ⊕	„	„	※ 4	„	„	5	⊕ Soon after the complaint was preferred the Defendants finished the work.
Planters	„	„	„	„	.	„	.	.	.	.	
Europeans Merchants or others on their own account	„	„	„	※ 2	1	„	※ 3	„	„	5	※. The Defendants in these cases were allowed time to fulfil their contracts -
Natives on their own account	„	„	„	1	1	„	※ 2	„	„	3	
Total	„	„	„	4	2	„	9	„	„	13	

Bellary Magistrate's Office
23rd February 1865

To,
The Chief Secretary
to Government Judicial Departt.
Fort St. George

A. [illegible]
Magistrate

Judl. 1865 Department

From
The Magistrate of
Bellary

To
The Chief Secretary
to Govt. Judl. Department
Fort St. George

No. 105

Dated Bellary 23rd February

Recd. 27

No. 582

Statement showing the number and classes of cases under Act XIII of 1859 entered on the files of the Magistrates in the Bellary District during the year 1864.

No 24

Coimbatore Magistrate's
Office 23rd February 1865

From
P. Grant Esqre
Magistrate of Coimbatore

To
C. G. Walker Esqre
Under Secretary to Government
Fort Saint George

Sir,

With reference to your Memorandum of the 31st ultimo No 39, I have the honor to forward a Statement showing the number and classes of cases under Act XIII of 1859 and Madras Act V of 1863 entered on the files of the Magistracy of this District during the year 1864.

2 The Statement does not embrace cases disposed of by the Joint Magistrates of Wellington and Ootacamund as they will go in the returns of the Session Judge of Ootacamund to be submitted by him to Govt.

I have the honor to be
Sir
Your most obedt Servt

P. Grant
Magistrate

Ed Ry

2

Statement showing the number and classes of Cases under Act XIII of 1859 and Madras Act III of 1863 entered on the files of the Magistracy of Coimbatore during the year 1864.

Trade or Profession of Prosecutor	Trade or Profession of Defendants									Grand Total of Cases	Remarks
	Artificers including all skilled workmen			Other workmen including contractors for the performance of works			Laborers or Coolies				
	Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken	Total No. of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which security was taken		
Employe or Agent on behalf of any Department of the Government service or of Railway or other Company	"	"	"	"	"	"	"	"	"	-	
Planters	"	"	"	"	"	-	10	7	2	10	In 1 case the advance was repaid
Europeans Merchants or others on their own account	"	"	"	1	1	"	"	"	"	1	
Natives on their own account	4	-	3	1	-	-	7	"	-	12	5 Cases were withdrawn on amicable adjustment 4 Cases were dismissed
Total	4	-	3	2	1	-	17	7	2	23	

Coimbatore
23rd February 1865

R Grant
Magistrate.

C. V. Venugopal -

1865 Judl. Department
From
The Magistrate of
Coimbatore
To
The Under Secretary to
Government
Dated 23
Received 27 February 1865
No. 24
With one Enclosure
No. 494
Submits the return showing the operations of Act XIII of 1859 and Madras Act III of 1863 for the year 1864.

1865 Sept

See letter from the Magistrate of Coimbatore Dated 23 February 1865

No 24

Statement showing the number and class of cases under Act XIII of 1859 and Madras Act III of 1863 entered in the Register of the Magistrate of Coimbatore during the year 1864.

Encl. Sep.
No 494

Ootacamund Zilla Court
25th February 1865.

No 40 / 1865

From

A. W. Phillips Esq.
Acting Session Judge
of
Ootacamund

To

C. G. Walker Esq.
Under Secretary to Govt.
Fort St George

Sir,

With reference to the memo No 39 of 31st January 1865, and No 68 of 15th February 1865, forwarded by you, calling for the returns shewing Operation of Act XIII of 1859, and Madras Act III of 1863 for 1864, I have the honor to state that as these cases are tried by the Joint Magistrates of Wellington and Ootacamund, I had to write to them to furnish the returns hence the delay, I beg now to submit the statement submitted by the Joint Magistrate of Wellington and Copy of letter from Joint Magistrate of Ootacamund

Statement showing the number and classes of cases under Act XIII of 1859 and Madras Act III of 1863 entered on the files of the Magistracy of Coimbatore during the year 1864

Trade or Profession of Prosecutor.	Trade or Profession of Defendants									Grand Total of Cases	Remarks
	Artificers including all skilled workmen			Other workmen including Contractors for the performance of works			Laborers or Coolies				
	Total No. of Cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken	Total No. of cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken	Total No. of Cases	No. of cases in which Defendants were imprisoned	No. of cases in which security was taken		
Employe or Agent on behalf of any Department of the Government service or of Railway or other Company	"	"	"	"	"	"	"	"	"	"	
Planters	"	"	"	"	"	"	10	7	2	10	In 1 case the advance was repaid.
Europeans Merchants or others on their own account	"	"	"	1	1	"	"	"	"	1	"
Natives on their own account	4	"	3	1	"	"	7	"	"	12	5 Cases were withdrawn on amicable adjustment & 4 Cases were dismissed.
Total	4	"	3	2	1	"	17	7	2	23	

Coimbatore
Zilah Court
25th February 1865

Comp.d

G Harris
Session Judge

Judicial 1865 Dept.
From the Ag. Session Judge of Ootacamund

Mi. 108

Dated 25th Feb
Received 27 " } 1865.

Enclosure two

No. 496

Submits the Statement submitted by the Joint Magte. of Wellington showing the operation of Act XIII of 1859 & Madras Act III of 1863 for 1864 & a copy of the letter from the Joint Magte. of Ootacamund with reasons for non submission of the returns.

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giving his reasons for non submission of his return -

I have the honor to be,
Sir,
your most obedient Servt.
A W Phillips
Acting Session Judge

Memo

With reference to the Court's Memo of the 3rd February 1865 the Session Judge has the honor to submit the Statement showing the operation of Act XIII of 1859 and Madras Act III of 1863 for the year 1864.

Coimbatore
Zila Court
th February 1865

G Harris
Session Judge

To The Under Secretary
to Government
Fort Saint George

Compd. by

Judicial 1865 Dept.
Enclosure No 1
In a Memo from the Session Judge of Coimbatore dated 23rd February 1865.

No. No.

From the Session Judge of Coimbatore
To the Under Secretary to Government
Fort St. George

Statement showing the [illegible] and Madras Act [illegible] XIII of 1859.

Enclosure one
In a letter from the Acting Session Judge of Coimbatore dated 2nd March 186
Statement showing the Operation of Act XIII of 1859 & Madras Act III of 1863.

Judicial 1865 Septr

From The Session Judge
of Ootacamund

[illegible]

To The Under Secretary
to Government
Fort St George

Dated 25th February 1865
Received 2d March 1865

No. 506

With one Enclosure

Submits statements showing the operation of Act XIII of 1859.

of the returns.

Inclosure one

In a letter from the acting Session Judge of Ootacamund dated 2d March 186

Statement shewing the Operation of Act XIII of 1859 & Madras Act III of 1863.

Jud. [illegible]
No 547

Statement Showing the number and Classes of Complaints under Act XIII of 1859 and Act III of 1863 in the Joint Magistrate's Office Ootacamund during the Year 1864.

District and Zillahs	Trade or Profession of Prosecutors	Grade or Profession of Defendants									
		Artificers including all skilled workmen			Other workmen including Contractors for the performance of works &c.			Laborers or Coolies			Grand Total of Cases
		Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	Total number of Cases	No. of Cases in which Defendants were imprisoned	No. of Cases in which Security was taken	
Coimbatore District Ootacamund Division	Employe or Agent on behalf of any Department of the Government Service or of a Railway or other Company	2	"	"	5	"	"	4	"	"	11
	Planters	"	"	"	2	"	"	9	1	"	11
	Europeans, Merchants or others on their own account	11	1	"	17	2	"	2	"	"	30
	Natives on their own account	5	"	"	11	1	"	2	"	"	18
		18	1	"	35	3	"	17	1	"	70

Ootacamund
27th February 1865

W. Rose Campbell
Joint Magte

No. 20

From
C. W. Reade Esqr
Magistrate of South Arct

To,
The Honorable A. J. Arbuthnot
Chief Secretary
to Government
Madras

Sir,

Adverting to the order of Government dated 22d Ultimo No. 285 I have the honor to enclose a Statement showing the Charges and Receipts on account of the Service of Proceſses in connection with Act XIII of 1859 and as sanctioned by local Act III of 1863 for the Year 1864 just closed

2 The exceſs of charges over Receipts induced me to discontinue the entertainment of Permanent Batta Peons for the Proceſs Service from this date as intimated in my letter of the 18th Ultimo No. 14 Para 5; and henceforward the duty

will

will be performed by temporary Batta Peons who will be availed of as required at the cost of the complainants and ordinarily in this District the Sanctioned fee of 1 Rupee will quite Suffice for the purpose

I have the honor to be
Sir
Your Most Obed^t Servant

Charles Beale
Magistrate

Sixth & Asst
Magistrate's Office
On Circuit
Perumbay
1^st March 1865

Memo showing the Receipts and Charges on account of the Process Service Fund of the South Arct District.

Receipts	Amount			Charges	Amount		
In November 1863	-	-	-	In November 1863	-	-	-
„ December „	-	-	-	„ December „	-	-	-
„ January 1864	6	-	-	„ January 1864	-	-	-
„ February „	-	-	-	„ February „	21	9	3
„ March „	11	-	-	„ March „	24	-	-
„ April „	-	-	-	„ April „	23	12	-
„ May „	-	-	-	„ May „	24	-	-
„ June „	32	12	-	„ June „	20	-	-
„ July „	24	4	-	„ July „	20	-	-
„ August „	-	-	-	„ August „	20	-	-
„ September „	-	-	-	„ September „	20	-	-
„ October „	3	-	-	„ October „	20	-	-
„ November „	1	-	-	„ November „	20	-	-
„ December „	-	-	-	„ December „	20	-	-
	78	-	-		233	5	3

South Arct Magte Office }
on Circuit }
Perumbay 1st March/65 }

Charles Reade
Magistrate

Ro: 22 Feby/65 No 190 to 192

Judl 1865 Deptt

Appd 10/3

From
The Magistrate of
South Arcot

To
The Chief Secretary
to Government
Madras

Dated 1st } March
Recd 3d } „

No 20
No 528

Enclo- 1

Forwards a statement showing the Charges & Receipts on account of the Service of Processes in connection with Act XIII of 1859.

M 3

Enclosure No 1.

In a letter from the Collector of South Arcot to the Chief Secretary to Govern-ment Madras, 1st March/65 No 20.

Memo shewing the Receipts and Charges on account of the Process Service Fund of the South Arcot District –

Jud. A 5 D
No 528

Ootacamund Zillah Court
2nd March 1865.

No 43
1865.

From

A. W. Phillips Esqr
Acting Session Judge
Ootacamund

To

C. G. Walker Esqr
Under Secretary, Judl. Department Govt.
Fort St George

Sir,

With reference to the memo No 39 of 31st January 1865, and my letter of the 25th Ultimo No 40, I have the honor to submit the statement for the year 1864, forwarded by the Joint Magistrate of Ootacamund shewing the operation of Act XIII of 1859 & Madras Act III of 1863.

I have the honor to be,
Sir,
your most obedient Servt,

A W Phillips
Ag. Session Judge

Enclosure No. 1

Judicial 883 Dept.
From the D. J. Session Judge
of Ootacamund

8 Mar. 1864

Dated 2d March } 1865
Received 4 — }

4
Enclosure one

No 547

Submits Statement for 1864 forwarded by the Joint Magistrate of Ootacamund of cases disposed of under Act XIII of 1859 & Madras Act III of 1863.

No. 24

Kurnool
Magistrate's Office
20 June 1865

From
James Innes Minchin Esquire
Magistrate of Kurnool

To The Honorable A. J. Arbuthnot
Chief Secretary to Government
Fort Saint George

Sir,

With reference to the Acting Under Secretary's Memo dated 15th June No. 255, calling for such explanation as I may be able to offer for the greater number of cases occurring in this District under Act XIII of 1859 compared with the rest of the Presidency, and for the fact that most of the cases were brought by Natives, the Defendants being laborers, I have the honor to state that all those cases arise in connection with the works of the Irrigation Company.

2. Those works are all constructed on contract, and the contractors have the greatest difficulty in enforcing the completion of work by laborers, for which advances have been paid. The Coolies not only command the

the market, and exact their own rates, but are readily induced by other contractors to desert the work on which they are engaged before completion, and move to some other portion of the line.

3. Most of these cases come before the Deputy Magistrate on Special Duty connected with the Irrigation Company, and were it not for the prompt remedy which under the working of Act XIII of 1859 his Court provides, the company's works would have been brought to a stand still, as none of the Native Contractors would have completed their contracts, while direct employment of labour by the officers of the Company is even more unsatisfactory.

I have the honor to be
Sir
Your Most Obt. Servant.

James Innes Minchin
Magistrate

To Robt. W. Slater
Junr. Clerk

Judicial 1865 Department

From

The Magistrate of Madras

S. No. 1544

To

The Chief Secretary to Govt. Fort St. George

Dated 20th June 1865

No. 26 —

No. 24

Rec 1365

Furnishing information on working of Act XIII of 1857 in the Madras District. —

Madras Magistrate's Office
Saidapet 29th June 1865.

No. 106

From,

E. G. R. Fane Esqre.
Magistrate of the Madras Dist.

To,

The Honorable A. J. Arbuthnot
Chief Secretary to Govern.t
Fort St. George.

Sir,

With reference to the order of Govern.t dated 22nd February 1865 No. 285, I have the honor to report that in no case enquired into by me or by the other Magistrates in this District during the past year, did the expenditure for the service of Processes exceed the receipts from the fees levied under Act III of 1863. I am therefore of opinion that as far as this District is concerned Act III of 1863 needs no amendment.

I have the honor to be,
Sir,
Your most obed.t Servant

E. Fane
Magistrate.

H. Mansail
Esq. Che

No. 21

Salem Magistrate's office
on circuit-Pennagaram.
24th July 1865

From.

The Honorable D. Arbuthnott
Magistrate of Salem.

To,

A. J. Arbuthnott Esqre
Chief Secretary to Government
Fort Saint-George.

Sir,

With reference to the order of Government dated 22nd February last No 285. requesting me to report on the working of the Breach of Contract Act No XIII of 1859. I have the honor to state, that the Act had worked successfully in this District, during the past year 1864, and the charge incurred in the serving of processes has never exceeded the collections

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Judicial 1865 Depart.
From
The Magistrate of the
Madras District
To, The Chief Secretary
to Government
Fort St. George

Dated 29th } June 1865
Recd. 1st July

No. 106
Ex 1402

Gives as his opinion that it is unnecessary to amend Act III of 1863 for this District as the expenditure for serving processes do not exceed the receipts.

made under that Act.

In this District it has been the practice to collect one Rupee only on each Summons for a Defendant, but as a Summons for a Witness is as much a process as that for a Defendant I think the present practice is erroneous.

Provision might also be made for enabling the Magistrate to refund such portions of the Collections as he might consider equitable either to Defendant or to Complainant.

I have the honor &c.

Sir

Your most obedient Svt.

Arbuthnott

Magistrate

Compd Ch

104

Judicial Departt

+ Act XIII of 1859.

Magte of South Arcot.
Acting Ses: Judge, Bellary.
Offg Magte Trichinopoly
Session Judge —— do.
Ag Ses: Judge, Rajahmundry.

No single opinion is expressed by any Magistrate unfavorable to the working of the Act, and the Magistrates marginally named, state that the Act does not press with undue severity upon any class of persons. The Acting Magistrate of Salem thinks that the Act is a great relief to contractors and planters and works satisfactorily. He accounts for the large number of cases in that District by the fact that there are a great many wandering Contractors who take two or three Contracts at the same time, and suggests that it would be found advantageous to grant the magistracy the same power

of

of awarding costs that Civil Courts exercise.

The Magistrate of South Arcot thinks that the Local Act has checked the filing of complaints "in terrorem" that the Entertainment of Batta Peons for the purposes of the Act is unnecessary, and sends a Statement shewing receipts of 78 Rs against charges of $\overset{R}{233}$-$\overset{A}{5}$-$\overset{P}{3}$ - about 33 per cent.

The Sessions Judge of Tanjore thinks that the operation of the Act would be extended if it were generally known, that at Judicial Stations, complaints in respect of Breach of Contract should be preferred to the Principal Sudder Ameen

The Joint Magistrate of Wellington and Coonoor suggests that the word "verbal" should be expunged from Sec: IV of Act XIII of 1859, as the admission of verbal agreements leads to unfounded claims.

It seems to be generally admitted by the Magistrates that the knowledge that breach of contract can be at once taken up and offenders made to bear due penalties, is attended with beneficial results, acts as a wholesome check against protracted delay on the part of workmen, and decreases litigation.

The Principal Sudder Ameen of Madura states that in all of the ten cases that came before him, the defendants were ordered to pay the money advanced, or to fulfil the terms of the contract, and that in no case did they fail to comply with the order.

Cas

Cases in which the Prosecutor was an Employe or Agent of a Govt. Dept. or the Railway or Irrigation Company –	58.
Planters	72.
Europeans, Merchants or others on their own Account	66.
Natives on their own account	1669.
Total No. of Cases	1865.
Cases in which defendants were Artificers or skilled workmen	176
Professional Contractors &c.	263.
Common laborers or Coolies	1426
Total	1865

It will be seen from the above statement that the aggregate number of these complaints was 1865, of which 1548 were furnished by three Districts, viz, Kurnool, Salem and Coimbatore. The Magistrate of Kurnool who sends in a return of no fewer than 1095 cases, has not made any remark whatever. Of these 1095 cases, the defendants were imprisoned in 22 instances, and security was not taken in any.

Statement shewing the number and classes of Complaints under Act XIII of 1850, filed in the Madras Presidency for the year 1864.

Districts and Zillahs	Trade or Profession of Prosecutors	Trade or Profession of Defendants.									
		Artificers including all skilled workmen.			Other workmen including Contractors for the performance of works &c.			Laborers of Coolies.			
		Total number of cases	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Total number of cases.	No. of cases in which Defendants were imprisoned.	No. of cases in which security was taken.	Grand Total of cases.
10	25	3	4	3	3	4	3	3	4	3	2
Bellary	Employe or Agent on behalf of any Department of the Government service or of Railway or other Company	"	"	"	1	"	"	4	"	"	5
	Planters	"	"	"	"	"	"	"	"	"	"
	Europeans Merchants or others on their own account	"	"	"	2	1	"	3	"	"	5
	Natives on their own account				1	1	"	2			3
	Total				4	2	"	9	"	"	13

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Districts and Zillahs	Trade or Profession of Prosecutors	Trade or Profession of Defendants									
		Artificers including all skilled workmen			Other workmen including Contractors for the performance of works &c.			Labourers or coolies			
		Total Number of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Total number of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Total number of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Grand Total of cases
Coimbatore including the Zillah of Ootacamund	Employee or Agent on behalf of any Department of the service, or of the Railway or other Company	2	"	"	5	"	"	4	"	"	11
	Planters	"	"	"	5	1	"	24	13	2	29
	Europeans, Merchants or others on their own account	11	1	"	18	3	"	6	"	1	35
	Natives on their own account	10	"	3	12	1	"	25	"	"	47
	Total	23	1	3	40	5	"	59	13	3	122
Cuddapah	Employee or Agent on behalf of any Government Service or of a Railway or other Company	2	"	"	"	"	"	"	"	"	7
	Planters	"	"	"	"	"	"	"	"	"	"
	Europeans, Merchants or others on their own account	1	"	"	"	"	"	"	"	"	1
	Natives on their own account	4	"	"	"	"	"	"	"	"	4
	Total	7	"	"	5	"	"	"	"	"	12
Ganjam containing Zillah of Berhampore	Employee or Agent on behalf of any Department of the Government service, or of a Railway or other Company	"	"	"	"	"	"	1	"	"	1
	Total	"	"	"	"	"	"	1	"	"	1
Godavery Zillah of Rajahmundry	Employee or Agent on behalf of any Department of the Government service, or of a Raily: or other Company	3	"	"	1	"	"	"	"	"	4
	Planters	"	"	"	"	"	"	"	"	"	"
	European, Merchants or others on their own account	4	"	"	2	"	"	"	"	"	6
	Natives on their own account	20	1	1	14	"	"	8	"	"	42
	Total	27	1	1	17	"	"	8	"	"	52
Kistna Zillah of Guntoor	Employee or Agent on behalf of any Department of the Govt. service, or of a Raily. or other Company	"	"	"	"	"	"	"	"	"	"
	Planters	"	"	"	"	"	"	"	"	"	"
	Europeans, Merchants or others on their own account	"	"	"	"	"	"	"	"	"	"
	Natives on their own account	1	1	"	"	"	"	7	1	"	8
	Total	1	1	"	"	"	"	7	1	"	8

Districts and Zillahs	Trade or Profession of Prosecutors	Trade or profession of defendants									
		Artificers including all skilled workmen			Other workmen including Contractors for the performance of works &c			Labourers or Coolies			
		Total number of cases	No of cases in which defendants were imprisoned	No of cases in which security was taken	Total No of cases	No of cases in which defendants were imprisoned	No of cases in which security was taken	Total No of cases	No of cases in which defendants were imprisoned	No of cases in which security was taken	Grand total of cases
Kurnool (Zillah of Nundial) √		√	√	√	√	√	√	√	√	√	√
	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company	–	–	–	–	–	–	2	–	–	2
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans Merchants or others on their own account	–	–	–	–	–	–	1	–	–	1
	Natives on their own account	–	"	–	8	1	–	1084	21	–	1092
	Total	–	–	–	8	1	–	1087	21	–	1095
Madras (Zillah of Chingleput) √	Employee or Agent on behalf of any department of the Government Service or of a Railway or other Company										
	Planters										
	Europeans Merchants or others on their own account	–	–	–	–	–	–	–	–	–	–
	Natives on their own account	–	–	–	–	–	–	32	3	–	32
	Total	–	–	–	–	–	–	32	3	–	32
Madura √	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company	–	–	–	–	–	–	–	–	–	–
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans, Merchants or others on their own account	1	–	–	–	–	–	–	–	–	1
	Natives on their own account	17	–	–	4.	–	–	–	–	–	21.
	Total	18	–	–	4	–	–	–	–	–	22.
		√	√	√	√	√	√	√	√	√	
Malabar (Zillahs of Calicut and Tellicherry) √	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company	–	–	–	–	–	–	–	–	–	–
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans, Merchants or others on their own account	1	–	1	1	–	1	–	–	–	2
	Natives on their own account	5	–	5	–	–	–	–	–	–	5
	Total	6	–	6	1	–	1.	–	–	–	7

Districts and Zillahs	Trade or Profession of Prosecutors	Trade or Profession of Defendants									
		Artificers including all skilled workmen			Other workmen including Contractors for the performance of works, &c.			Laborers or Coolies			
		Total No. of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Total No. of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Total No. of cases	No. of cases in which defendants were imprisoned	No. of cases in which security was taken	Grand total of cases
Nellore ✓	Employee or Agent on behalf of any Department of the Govt. Service or of a Railway or other Company	–	–	–	1	–	–	–	–	–	1
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans, Merchants or others on their own account	–	–	–	1	–	–	–	–	–	1
	Natives on their own account	–	–	–	–	–	–	1	–	–	1
	Total	–	–	–	2	–	–	1	–	–	3
North Arcot (Zillah of Chittoor) ✓	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company		–	–	1	–	1	–	–	–	1
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans, Merchants or others on their own account	–	–	–	1	–	–	–	–	–	1
	Natives on their own account	–	–	–	4	–	–	–	–	–	4
	Total	–	–	–	6	–	1	–	–	–	6
Salem	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company	3	2	1	9	–	–	2	–	–	14
	Planters	3	–	3	6	–	6	33	6	27	42
	Europeans, Merchants or others on their own account	3	–	1	3	–	–	1	–	–	7
	Natives on their own account	34	–	1	63	2	11	171	–	16	268
	Total	43	–	6	81	2	17	207	6	43	331
South Arcot (Zillah of Cuddalore). ✓	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company	–	–	–	1	–	1	–	–	–	1
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans, Merchants or others on their own account	–	–	–	–	–	–	–	–	–	–
	Natives on their own account	–	–	64	~~3~~ 64	3	–	–	–	–	64
	Total	–	–	64	~~4~~ 65	3	1	–	–	–	65

Districts and Zillahs.	Trade or Profession of Prosecutors.	Trade or Profession of Defendants.									
		Artificers including all skilled workmen.			Other workmen including Contractors for the performance of works, &c.			Lascars or Cookies.			
		Total number of cases	No. of cases in which Defendants were imprisoned.	No. of cases in which Security was taken	Total number of cases	No. of cases in which Defendants were imprisoned.	No. of cases in which Security was taken.	Total No. of cases	No. of cases in which Defendants were imprisoned.	No. of cases in which Security was taken	Grand total of cases
South Canara (Zillah of Mangalore)	Employee or Agent on behalf of any Department of the Govt. Service, or of a Railway or other Company-	9	3	-	-	-	-	-	-	-	9
	Planters	-	-	-	-	-	-	1	-	-	1
	Europeans, Merchants or others on their own account.	-	-	-	-	-	-	-	-	-	-
	Natives on their own account.	-	-	-	1	-	-	-	-	-	1
		31	-	2	11	-	-	14	-	1	56
	Total	40	3	2	12	-	-	15	-	1	67
Tanjore (Zillahs of Tanjore and Negapatam)	Employee or Agent on behalf of any Department of the Government Service or of a Railway or other Company-	√	√	√	√	√	√	√	√	√	
	Planters	-	-	-	-	-	-	-	-	-	-
	Europeans, Merchants or others on their own account	-	-	-	-	-	-	-	-	-	-
	Natives on their own account.	1	-	1	-	-	-	-	-	-	1
		2	1	1	3	-	3	-	-	-	5
	Total	3	1	2	3	-	3	-	-	-	6
Tinnevelly	Employee or Agent on behalf of any Department of the Govt. Service, or of a Railway or other Company										
	Planters	-	-	-	-	-	-	-	-	-	-
	Europeans, Merchants or others on their own Account	-	-	-	-	-	-	-	-	-	-
	Natives on their own account.	-	-	-	1	-	1	-	-	-	1
		-	-	-	-	-	-	-	-	-	-
	Total	-	-	-	1	-	1	-	-	-	1
Trichinopoly &	Employee or Agent on behalf of any Department of the Govt. Service or of a Railway or other Company.	√	√	√	√	√	√	√	√	√	
	Planters	2	-	-	-	-	-	-	-	-	2
	Europeans, Merchants or others on their own account.	-	-	-	-	-	-	-	-	-	-
	Natives on their own account.	1	-	-	-	-	-	-	-	-	1
		4	-	-	10	-	-	-	-	-	14
	Total	7	-	-	10	-	-	-	-	-	17

6

District and Zillahs	Trade or Profession of Prosecutors	Trade or Profession of Defendants.									
		Artificers including all Skilled workmen			Other workmen including Contractors for the performance of works. &c			Labourers or Coolies			Grand total of Cases.
		Total No of Cases	No of cases in which defendants were imprisoned	No of cases in which security was taken	Total No of cases.	No of cases in which defendants were imprisoned	No of cases in which security was taken	Total No of cases.	No of cases in which defendants were imprisoned	No of cases in which security was taken	
10 Vizagapatam (Zillah and Agency of Vizagapatam)	25 Employee or Agent on behalf of any Departt of the Govt. Service, or of a Railway or other Company	–	–	–	–	–	–	–	–	–	–
	Planters	–	–	–	–	–	–	–	–	–	–
	Europeans, Merchants or others on their own account	–	–	–	2	–	–	–	–	–	2
	Natives on their own account	1	–	–	2	–	–	–	–	–	3
	Total	1	–	–	4	–	–	–	–	–	5
	Grand Total	176	7	20	263	13	24	1426	44	47	1865

Total number imprisoned – 64.

Security taken 91

112

desp 2/8/65

113 96

No. 1064 Judicial Department.

To

The Secretary to the Government
of India.
Home Department,

Sir,

Simla

Advertising to the instructions conveyed in para 5 of Mr. Under Secretary Wyllie's letter of the 9th April 1864 I am directed by His Excellency the Governor in Council to submit the following report on the working of Act XIII of 1859 in this Presidency during the year 1864.

2 The aggregate number of complaints filed was 1865, which as compared with the average annual number filed during the three years and ten months ending 30th June 1863, shows an increase of 568 in the annual number of complaints under this Act.

+4974

3 The distribution of the

complaints

complaints is again noticeably unequal; those filed in the Kurnool District exceeding by more than one half the complaints lodged in all the other Districts combined. It will be seen by the accompanying Tabular Statement that out of the 1865 complaints filed in the Presidency during the year under review, 1095 were filed in Kurnool. Next to Kurnool the Districts in which the Act was taken advantage of in the greatest number of instances are Salem and Coimbatore, 331 in the former and 122 in the latter. Then follow, South Canara 67, South Arcot 65, the Godavery District 32, Madras 32.

4 The large preponderance of complaints in the Kurnool District is, as the Magistrate of that District points out, to be attributed to the number of contracts resulting from the

extensive

extensive operations of the Madras Irrigation Company in the District; the whole of these works being constructed on contract. Nearly all the complaints in the District were brought by natives on their own account, and nearly all the defendants were coolies or laborers. The Magistrate states that, owing to the scarcity of labor, and the competition on the part of Contractors, had it not been for the prompt remedy afforded by this Act, the Company's works would have been brought to a stand still, as none of the native Contractors would have completed their contracts, while direct employment of labor by the officers of the Company is even more unsatisfactory

5. The Statement shews that as compared with the former return there has been a very large increase in the complaints lodged by natives on their own account, 1092 out of 1095 having been brought by that class in the Kurnool District, 268 out of 331 in the Salem District, and 47 out of 122 in Coimbatore. The subjoined Statement will shew the nature of the cases throughout the Presidency.

Number of cases in which the Prosecutor was an Employee or Agent of a Government Department or the Railway or Irrigation Company	No. of Cases
	58
A Planter	72
European Merchant or others on their own account	66
Natives on their own account	1669
Total	1865.

Cases in which the Defendants were Artificers or skilled workmen	176.
Professional Contractors Cart-owners &c.	263.
Common laborers or Coolies	1426
Total	1865

The

6. The Governor in Council is of opinion that there is no reason for apprehending that this unequal distribution of complaints is to be attributed to want of uniformity in the interpretation of the law, but that it is caused chiefly by local peculiarities, and that the paucity of complaints in many Districts is to be attributed to the check afforded by the Act itself to fraudulent breaches of contract, and to the general spread of knowledge as to the provisions of the Act among the native community. That this knowledge does exist may be inferred from the large increase in the

number

number of complaints laid by natives on their own account.

7. There seems no ground for supposing that the Act is found to operate unjustly or with undue pressure on any class: the testimony of the Local Authorities is unanimous on this point, and it will be seen that the penal provisions of the Act were only enforced in 64 instances by imprisonment, of which 22 occurred in Kurnool, and in 91 cases by taking of security.

8. His Excellency entertains no doubt that Act III of 1865 of the Madras Government has acted beneficially in obviating to a great extent the filing of complaints "in terrorem," while it has not had the effect of preventing bona fide complainants from prosecuting their claims.

9. Finally, His Excellency is of opinion, and in this he is supported by the concurrence of all the Magistrates in the Presidency, that the working of this Act, during the year under review has not disappointed the hopes expressed in the former report as to the beneficial results which might be expected to attend its operation.

Fort St. George
31st July 1865

Judicial 1865 Separt

No. 1064.

To
The Secy: to the Govt.
of India

Dated 31st. July 1865