

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.

12

Press
Mis.

19-20

Dated

4-1-

1865

4/5

Not to be folded or roughly handled

Handwritten signature

*Proceedings of the Madras Government, Judicial Department,
4th January 1865.*

No. 19. Read the following letter from P. P. HUTCHINS, Esq., Acting Registrar of the High Court of Judicature at Madras, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George ; dated Madras, 23rd November 1864, No. 69.

I am directed by the Judges of the High Court to acknowledge the receipt of your letter of the 21st ultimo, communicating the remarks of the Government of India on the recommendation made in my letter of the 15th of July last, No. 54.

2. The Judges, having already expressed their opinion that security and the decent administration of justice are not possible with the reduced establishment at present allowed, have very little to add to their former observations. I am instructed, however, to observe that the real point of the matter appears to have been lost sight of. The revision made by Mr. Pelly did not embrace the judicial establishments, but the reduction was made by summary order of Government (Proceedings 3rd July 1861, No. 338, Financial Department), upon the pledge that the Court Houses should be guarded by the Mofussil Police. Eighteen months afterwards, upon the representation of the Inspector General, and without any previous reference to the High Court, the Police guard was suddenly withdrawn. The reduced establishment was allowed to be scarcely sufficient for the lightest Court, even with the Police guard ; without the assistance of the Police, it is unquestionably inadequate for bare efficiency or common security.

3. The view here stated, I am to explain, is no crude or hasty conclusion, drawn from the single representation of Mr. Collett, but the unanimous and deliberate opinion, long entertained by those of the Judges who possess Mofussil experience.

No. 20. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 4th January 1865, No. 12.

In acknowledging the receipt of your letter of the 8th September last, No. 2540, calling for a fuller explanation of the actual necessity for the increase of establishment to certain Courts in this Presidency, recommended in Mr. Sim's letter of the 30th July last, I am directed to submit, for the consideration of His

23rd November 1864, No. 69.

Excellency the Viceroy and Governor General in Council, the annexed copy of a letter from the Acting Registrar of

the High Court, submitting the further remarks of the Honorable the Judges of the High Court, as to the necessity of the increase in question. It will be observed that the reduction was not made consequent on Mr. Pelly's revision of establishments, which was confined to the Revenue Department ; and it is the unanimous and deliberate opinion of those of the Judges of the High Court, who possess Mofussil experience, that, without the assistance of a Police guard, the establishment of peons, now allowed, is unquestionably inadequate for bare efficiency, or common security.

2. Under these circumstances, the Governor in Council trusts that the increase of establishment, which has been applied for, will receive the sanction of the Supreme Government.

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

Ed. J. H. Curra.

desp 7/1/65 by the
P.O. Steamer "Simla".

Colonial Department
No 12
The Secretary to the Govt. of India
Home Department

Sir

In acknowledging the
receipt of your letter of
8th September last, No 254,
calling for a full
of the actual necessity for
establishment

in Courts in
Madras, &c. &c.
I have the honor to
reply to your letter

of last; & have
directed to submit
the consideration
of the
Governor General in Council
a copy of
from the Acting
of the High

Yours faithfully
Honble Secy
High Com

23 Nov 65 No 109

of the Supreme Govt.

Col. St. George }
4 January 1865 }

of the increase in question.

It will be observed that

the re-^{vision} was not made

consequent Mr. Pelly's

revision of Establishments,

which was confined to the

Revenue Department; and

it is the unanimous and

able opinion of those

of the Judges of the High

Court who possess profes-^{sional}

sion, that without the

assistance of a Police guard,

the re-establishment could

now allow is unquestionably

made. ^{are security}

efficiency or common security.

2. Under these circum-

stances, the Governor in

granting the

case of Establishment

which has been applied for,

has received sanction

of

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