M.R.O. 1—38,000—16-10-20.

MADRAS RECORD OFFICE.

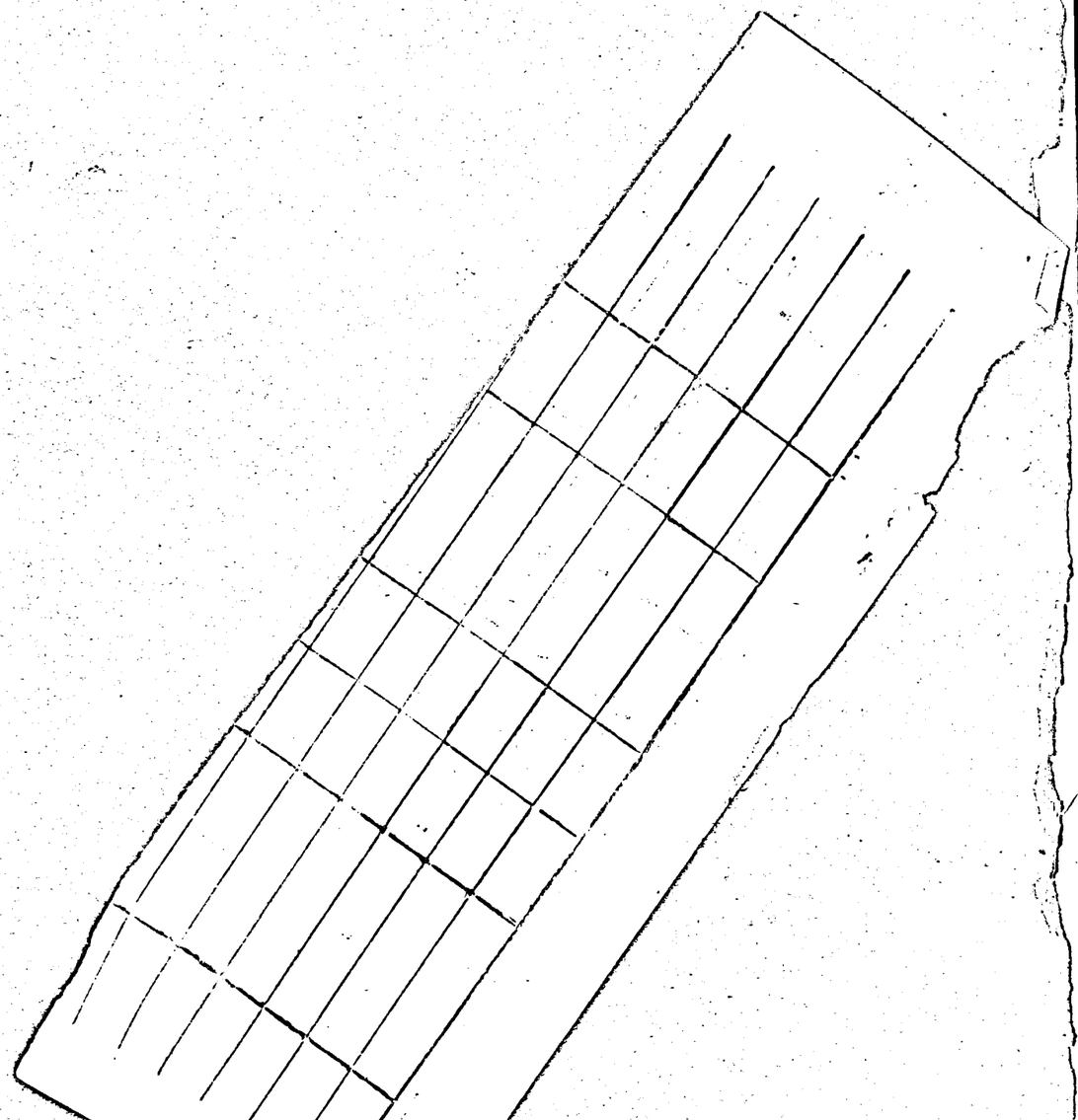
Government of Madras.

Judicial DEPARTMENT.

G.O. No.	906	Press ~~Mis.~~
115-116		
Dated	20-7-	19 1860

9/9

Not to be folded or roughly handled



Proceedings of the Madras Government, Judicial Department, 20th July 1860.

Read the following papers :—

No. 115. Extract from the Proceedings of the Government of India, in the Financial Department, under date the 21st June 1860, No. 5,529.

Read again the following papers, having reference to the establishment of a new Judge's Court at Negapatam, and the abolition of the Collectorates of Masulipatam and Chingleput.

Extract Home Department, No. 908, dated the 3rd May last.

Telegram from Financial Department, to Civil Auditor, Madras, dated the 5th idem.

Ditto from Civil Auditor, Madras, to Financial Department, without date.

Order of the Financial Department, No. 3,745, dated the 8th May last.

Read an Office Memorandum from the Home Department, No. 1,066, dated the 6th instant, with enclosures, on the above subject.

OBSERVATIONS.—His Excellency the Governor General in Council observes that the Government of Madras having in a Telegraphic Message asked for sanction to the establishment of a new Civil and Sessions Court at Negapatam in the Tanjore District, and stated that the expense of this measure would be met by the savings caused by the abolition of the Masulipatam and Chingleput Collectorates, this Government in the Home Department remarked in a letter to the address of that Government, No. 932, dated the 3rd ultimo, that it was an unusual thing to make such an application as this by Telegraph, and that it was difficult to suppose that the urgency of the case could be so great as to demand that mode of communication. The message did not afford that full explanation of the circumstances requiring the proposed addition to the Judicial establishment at the Madras Presidency, which it was essential that this Government should have before it to enable it to accord sanction to a considerable increase of expenditure.

The Government of Madras was therefore called upon to state its views clearly, and the reasons on which they were founded in full, before the necessary sanction could be accorded to the establishment of the new Court.

The abolition of the Masulipatam and Chingleput Collectorates, this Government also observed, could in no case be recognized as affording ground for incurring a new charge of an entirely different character, and it was remarked that the measures in connection with the abolition of the Collectorates in question involving as they did extensive re-arrangements of Revenue Jurisdiction, should not have been carried into effect without being reported to this Government, though they might be productive of a saving in the public expenditure and might be otherwise advantageous.

With reference to the above remarks, the Government of Madras, in a letter to this Government in the Home Department, No. 605, dated the 14th ultimo, explains the causes which have led that Government to recommend the establishment of a Civil and Sessions Court and Subsidiary Courts at Negapatam. The cost of these Courts is stated to be Rupees 4,495-5-4 per month, but as their establishment will dispense with the necessity of keeping up the two Principal Sudder Ameens' Courts now at Combaconum, the net increase of expenditure incurred by the arrangements to Rupees 3,149-5-4 will appear from the statement in the margin.*

* *New Civil and Sessions Court at Negapatam.*

		Rupees	2,333	5 4
1	*Civil and Sessions Judge*	,,	709	0 0
	Establishment	,,	200	0 0
1	*Mufti Sudder Ameen*	,,	70	0 0
	Establishment	,,	176	0 0
	Fixed Jail Guard	,,	500	0 0
1	*Principal Sudder Ameen*	,,	507	0 0
	Establishment	,,		
	Total Rupees		4,495	5 4
	Deduct.			
	Cost of two Principal Sudder Ameens' Courts at Combaconum	*Rupees*	1,346	0 0
	Net increased cost Rupees		3,149	5 4

The Government of Madras at the same time requests that general authority may be given to that Government at any time to change the stations of Zillah Courts in the Presidency of Fort Saint George and the limits of their local jurisdiction to abolish any of the existing Zillah Courts and to establish new Zillah Courts, "provided that such changes are not attended with additional expense."

That Government likewise solicits sanction to the temporary establishment at Madura of a Principal Sudder Ameen's Court, at a cost of Rupees 659† per month, for the purpose of aiding to clear off the arrears on the files of the Civil Judge of that District, which are said to now amount to 471, and would occupy the Judge nearly four years to dispose of, without the assistance solicited, even if free from Current Civil business.

† *Principal Sudder Ameen... ... ...*	*Rupees*	500	0	0
Establishment.				
1 *English Writer... ... ...*	*Rupees*	40		
1 *do. ... ...*	,,	16		
1 *Gomastah... ... ...*	,,	40		
1 *do. ... ...*	,,	16		
1 *do. ... ...*	,,	13		
2 *Deloyets at 7 each... ...*	,,	14		
4 *Peons at 5 each... ... ...*	,,	20		
	,,	159	0	0
Rupees...		659	0	0

The total cost involved in consequence of the abovementioned Judicial establishments amounts to Rupees 3,808-5-4 setting, however, against it the reductions effected by the arrangements consequent on the abolition of the Masulipatam and Chingleput Collectorates, there appears on the whole to be a saving of Rupees 2,265-10-8 per mensem or Rupees 27,188 per annum as shewn in the margin.‡

‡ *Saving by the abolition of the Masulipatam Collectorate... ... ...*	*Rs.*	3,178	5	1
Do. by the abolition of the Chingleput Collectorate...	,,	2,895	10	8
Total saving, Rupees...		6,074	0	0
Deduct.				
Net additional cost of the new Courts at Negapatam...	*Rs.* 3,149	5	4	
Cost of the Principal Sudder Ameen's Court at Madura ,,	659	0	0	
		3,808	5	4
Net saving, Rupees...		2,265	10	8
or per annum, Rupees...		27,188	0	0

RESOLUTION.—Under the circumstances stated in the Madras Government's letter of the 14th ultimo, the proposal to establish permanently a new Civil and Sessions Court and Subordinate Courts at Negapatam, and temporarily a Principal Sudder Ameen's Court at Madura appears to the Governor General in Council to be unobjectionable, and he is accordingly pleased to accord his sanction to it.

With regard, however, to the general authority asked by the Madras Government, His Excellency in Council observes that the whole subject as to how far the local Governments can be relieved from the necessity of frequent appeals to the Government of India, is about to be considered, and pending that His Excellency in Council refrains from entertaining the present solicitation of the Madras Government.

ORDER.—Ordered that a copy of the above Resolution be forwarded to the Home Department, for communication to the Government of Madras, the original papers received from that department being returned.

Ordered also that a transcript of the Resolution be sent to the Civil Auditor, Madras, for information and guidance.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,
Secy. to the Govt. of India.

No. 1,379.

Forwarded for information to the Government of Fort Saint George, with reference to letter thence, No. 605, dated 14th May last.

By order, &c.,

(Signed) H. U. BROWNE,
Under Secy. to the Govt. of India.

HOME DEPARTMENT,
5th July 1860.

No. 115A. From C. F. CHAMIER, Esq., Registrar of the Sudder Court, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 25th April 1860, No. 37.

I am directed by the Judges to forward, as requested by the Proceedings of Government dated the 16th instant, the Draft of a Notification respecting the proposed establishment of a new Civil and Session Court at Negapatam, together with a Mufty Sudder Ameen's Court, and the Court of a Principal Sudder Ameen.

2. In this Notification the Judges have specified the particular portions of the Tanjore Collectorate, which, in their opinion, should be assigned to the future Zillah of Tanjore, and the new Zillah of Negapatam, respectively. Under this arrangement each Court will be within easy access to the suitors resorting to it. Some modifications of the jurisdictions, however, may be necessary, when the re-arrangement of the talooks now in progress is completed, to obviate the inconvenience of having the Police of a talook subject to two different Session Courts.

3. The Judges have made a reference to the Collector of Tanjore, to ascertain what buildings are available at Negapatam for the three Courts to be established there; but, as the Government may already possess information on this point, they think it better to forward the Draft Notification at once, and to communicate the Collector's reply when it may reach them. The Judges consider that the new Courts might be opened as soon as the necessary accommodation can be provided; and the blank space left in the Notification for the *date*, can be filled up accordingly.

No. 115B. From C. F. CHAMIER, Esq., Registrar of the Sudder Court, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th May 1860, No. 45.

1. Referring to my letter of the 25th ultimo, I have the honor by direction of the Judges to forward copy of a letter from the Collector of Tanjore, reporting that certain public buildings are available at two miles' distance from Negapatam for the new Courts to be established there.

2. I am directed to mention that in the Draft Notification submitted with my former letter the talook of *Combaconum* was inadvertently omitted from the number of those intended to form the jurisdiction of the Tanjore Civil and Session Court.

From W. M. CADELL, Esq., Collector of Tanjore, to the Officiating Civil and Session Judge of Combaconum, dated 9th May 1860, No. 412.

1. I have the honor to acknowledge the receipt of your letter of the 25th ultimo, (not received till the 30th) and in reply to state that there are no buildings available at Negapatam for the new Courts proposed to be established at that Station.

2. At the village of Cádambadi, 2 miles north of the Town, there are, however, the buildings which formerly comprised the Principal Catcherri, Treasury, &c., of this District and which have been inspected by Mr. Clarke, and Mr. Kindersley.

3. These are noted below, and also the manner in which it is proposed to allot them. I am of opinion that though at some distance from the Town, they would answer well as temporary accommodation.

Present use of the buildings.	Dimensions.	Proposed allotment.
Head Assistant Collector's Office.	24 feet by 14	Moofty Sudder Ameen's Court.
Do. Royasam Cutcherri	26 „ by 15	Principal Sudder Ameen's Court.
Do. Record Room	19 „ by 15	
Do. 2 side rooms, each	18 „ by 8	
Hospital. Surgery	15-9 „ by 18	
Hospital. Office	30 „ by 18	Civil and Session Court.
Hospital. 2 Wards	53 „ by 36	

(Signed) W. M. CADELL,
Collector.

(True Copy.)

(Signed) C. F. CHAMIER,
Registrar.

No. 116. ORDER THEREON, 20th July 1860, No. 906.

Resolved that a copy of the above Extract be furnished to the Sudder Court, to the Judges of Combaconum and Madura, and to the Offices of Account and Audit, and that the Notification for constituting the Zillahs of Tanjore and Negapatam, submitted by the Sudder, under date the 25th April last, be published in the Fort Saint George Gazette.

2. Mr. R. G. Clark must remain at Combaconum in charge of the Zillah Court there, until he can be relieved; but meanwhile he will, in communication with the Collector, make such arrangements as he may be able to effect for the early opening of the Court at Negapatam as soon as his services are available for that station.

3. The other Courts now at Combaconum, viz., the Subordinate Court, the two Principal Sudder Ameen Courts, the Mufti Sudder Ameen's Court, with their establishments, will all remain at Combaconum for the present until such of them as are to be removed to Negapatam can be transferred thither and the other arrangements consequent on the change can be carried out.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

3

Judicial Dept.

Notification.

Fort St. George 20. July 1860.

The Honorable the Governor in Council directs it to be notified, that from and after 1st June proximo a temporary Principal Sudder Ameen's Court will be established at Madura under Regulation VII of 1827, for the trial of such appeals as may be referred by the Civil Judge, under Clause third, Section VIII, Act VII of 1843.—

J & C

W M

J P

Received
20th July 1846

Notification.

It is hereby notified that from and after the day of next, the tracts now subject to the Civil and Session Court of Combaconum will be formed into two separate Zillahs, of which one will be designated the Zillah of Tanjore, and the other the Zillah of Negapatam.

The Zillah of Tanjore will embrace that portion of the Tanjore Collectorate which comprises the talooks of Combaconum, Valangaman, Kudavásal, Papanásam, Tiruvády, Mannárkovil, and Puttukottai.

Under the provisions of section I Act VII of 1843, a new Zillah Court will be established in the town of Negapatam, to be styled the "Civil and Session Court of Negapatam", together with a Munsiff Sudder Ameen Court, and the Court of a Principal Sudder

Enclosure in a letter from
the Registrar of the Diocese &
dated 25th April 1860 Rec.d 27.

Rec.d 5 & 8 May
in Rec.d 677

Sir

I do hereby certify, that I have
the remaining Testimonials of the
Collectorate i.e. Sirsilla, Nellagherry,
Nellalam, Jangaon, Ramadam, Ni-
=zam, Siruvalloor, Nellalloor,
Tirudlas assumed.—

P. S. Chamier
Registrar.

No 358

Memorandum of the Cost of the Judicial Establishments in the Zillah of Combaconum

Civil and Sessions Judge of Combaconum

1	Salary of Civil Judge		2,333 4	
	Establishment of Do.		709	
	Saderward — of Do.		35	
				3,077 4
	Moofty Sudr Ameen		200 ..	
	Establishment		70 ..	
				270 ..
3	1st Class Moonsiffs	at 200 Rs. Each	600 ..	
3	Establishments of Do.	at 70 Rs. Do.	210 ..	
3	Saderwards — of Do.	at 15 Rs. Do.	45 ..	
				855 ..
3	2nd Class Moonsiffs	at 150 Rs. Each	450 ..	
3	Establishments of Do.	at 70 Rs. Do.	21 ..	
3	Do. of Saderwards	at 15 Rs. Do.	45 ..	
				705 ..
6	3rd Class Moonsiffs	at 100 Rs. Each	600 ..	
6	Establishments of Do.	at 60 Rs. Do.	360 ..	
6	Saderwards — of Do.	at 10 Rs. Do.	60 ..	
				102 ..
				5927 5

Sub Judge Combaconum.

1	Salary of Sub Judge	1,400 .	
	— of Establishments	636 5	
	— of Sait Do.	174 ..	
	aderward — Do.	20 ..	
		2,232 5 ..	
			2,232 5 ..

Principal Sudr Ameens Court

1	Principal Sudr Ameens Salary	500 .	
1	Establishment — of — Do.	187 .	
	Saderward — of — Do.	6 ..	
		693 ..	
			693
1	Principal Sudr Ameens Salary	500 ..	
1	Establishment — of Do. Do.	159 ..	
	Saderward — of Do. Do.	5 ..	
		664 ..	
			664 ..
			9,516 13
3	Additional 2nd Class Moonsiffs Salary —	at 150 Rs. Each 450 ..	
3	Do. — of Establishments — Do.	at 70 Rs. Do. 210 ..	
	(Saderward not Sanctioned)	660 ..	
			660 ..

Fort Saint George
Civil Audit Office,
17th April 1860.

Total Rupees 10176 13

Civil

Enclo: I

Encl to Govt
ii Lo 677

Orders are requested on these two letters from the Sudder Court.

25th April No. 37.

Resolved that the notification proposed in the Form of a Notice to be published in the Fort St. George Gazette, the date on which it is to have effect being left blank for the present

Resolved also that the confirmation of the Court of Directors be solicited to the arrangements under Sect. LIII Act VII. 1843 and the sanction for the expenditure incurred according to the allowance for the two Pd Members Long

18th May No. 45.

These two letters may be recorded at the head of the orders

Registered

Resolved that the above letter do lie over until a reply is received from the Govt of India to the reference made to them under date 14th inst No 605—

GF

Last Comm 25-5-0

Judicial Department.

Proceedings of the Madras Government.

Read the following Extract from the Proceedings of the Government of India in the Financial Department.

(Here enter 21st June/60, No. 0529.)
Read also the following letters from the Registrar of the Sudder Court
M. S. 25th April & 18th May 1860. Nos. 37 & 65)

Order thereon 20th July 1860, No. 906—

4(91)

Resolved that a copy of the above Extract be furnished to the Sudder Court, to the Judges of Combaconum and Madura and to the Offices of Account and Audit, and that the Notification for constituting the Zillahs of Tanjore and Negapatam, submitted by the Sudder under date the 25th April last, be published in the Fort Saint George Gazette.—

A. C.

2.— Mr. C. G. Clark must remain at Combaconum in charge of the Zillah Court there until he can be relieved; but meanwhile he will, in communication with the Collector, make such arrangements as he may be able to effect for the early opening of the Court at Negapatam as soon as his services are available for that Station.

2. The other Courts now at Combaconum viz: the Subordinate Court, the two Principal Sudr Ameen Courts, the Mufti Sudr Ameens Court with their establishments will all remain at Combaconum for the present until such of them as are to be removed to Negapatam can be transferred thither and the other other arrangements consequent on the change can be carried out.—

JP

To the Sudder Court.—
" Judge of Combaconum.
" " Madura.
" Collector of Tanjore.
" Accountant General.
" Civil Auditor.

} Disp^d 20^th

Forwarded

Judicial Letter to Engd dd 31st October
No 33 of 1860

Pro of July
Judicial 1860 Sept 6

No 906.

Proceedings of Govt

dd 20 July 1860 —

~~Ft. 1314.~~ 70/62
~~— " 1588.~~
~~— " 1665.~~

Directing that a copy of the Extract from the Pro. of the Govt. of India be furnished to the Sudds Court & the Judges of Combaconum & Madura & to the Offices of Account and Audit & that the Notification for constituting the Zillahs of Tanjore and Negapatam be published in the Fort St George Gazette.—

115 to 116.