

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 138

Press

~~Mis.~~

246-247

Dated

23-1-1867

5/6

Not to be folded or roughly handled

QMS

*Proceedings of the Madras Government, Judicial Department,
23rd January 1867.*

No. 246. Read the following letter from the Judge of the Court of Small Causes, Negapatam, to the Chief Secretary to Government, Fort Saint George; dated Negapatam, 8th December 1866, No. 392.

I do myself the honor to submit respectfully, for the consideration of His Excellency the Governor in Council, the expediency of extending the jurisdiction of this Court to Rupees 1000, as provided in Section 7* of Act XI of 1865, quoted in the margin.

* 7. The Local Government may extend the jurisdiction of any Court of Small Causes, in suits of the nature described in the last preceding Section and thereby made cognizable by Courts of Small Causes, to an amount not exceeding one thousand Rupees.

2. Sections 22† and 23,‡ also quoted in the margin, provide ample protection for Suitors, the proceedings under which are not only equivalent to an appeal, but possess the eminent advantage of being much more rapid in their progress.

† 22. If in the trial of any suit under this Act any question of law, or usage having the force of law, or any question as to the construction of a document which construction may affect the merits of the decision, shall arise, the Court, in suits for an amount not exceeding five hundred Rupees, may, either of its own motion or on the application of any of the parties to the suit, and in suits for an amount greater than five hundred Rupees, shall draw up a Statement of the case and refer it, with the Courts own opinion, for the decision of the High Court.

‡ 23. When a case is referred to the High Court under the 22nd Section, the High Court may alter, cancel, or set aside any order or decree which the Court stating the case may have made in the suit out of which the reference arose, and may make such order as the justice of the case may require.

3. The extension of a like jurisdiction in the Presidency Courts has been found of manifest benefit to the public, and I feel satisfied that a similar extension will be equally so in this District where a large portion of the population being traders with Ceylon and the Straits seek for a speedy adjustment of their accounts, and where, from the character of the litigation arising from the wealth of the people, the average value of suits ranges much higher than in Madras as here shewn.

Suits instituted in the Madras Court in 1865 averaged...	RS.
Suits instituted in this Court in 1865 averaged...	29
Suits instituted in this Court for the past eleven months, 1866, averaged.	128
	157

4. The suggested extended jurisdiction is not more, in its importance, than the equivalent of the powers this Court now possesses in its Appellate work on the Principal Sudder Ameen's side.

No. 247. To the Honorable Sir ADAM BITTLESTON, Kt., Acting Chief Justice of Her Majesty's High Court of Judicature, Madras, dated Fort Saint George, 23rd January 1867, No. 138.

In forwarding the annexed copy of a letter from the Judge of the Court of Small Causes at Negapatam, I am directed by the Governor in Council to request that you will be so good as to favor the Government with the opinion of the Honorable the Judges on the proposal therein made for extending the jurisdiction of that Court to Rupees 1000, as provided by Section 7 of Act XI of 1865.

Dated 8th December 1866, No. 392.

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

Principal Sudder Amins Secy.

Have the honor to be
Sir,

Yours Most Obedient Servant.

M. A. C. C. P.

Judge.

Negapatam
Small Cause Court
8th December 1866

Judicial Department

No 138.

The Honble Sir Adam Bittleston Kt.

Sg. Chief Justice of H. M. High Court
of Judicature
Madras

Honble Sir,

Dated 8th Decr '66 No 397.

In forwarding the an-
nexed copy of a letter
from the Judge of the
Court of Small Causes
at Negapatam, I am di-
rected by the Governor
in Council to request
that you will be so
good as to favor the
Govt. with the opinion
of the Honble the Judges
on the proposal therein
made for extending
the jurisdiction of that
Court to Rs 1000 as pro-
-vided

W. H. C.

provided by Sec. III of
Act XI of 1865.

by

Fort St. George }
23rd Aug. 1873 }

246. 247.

Andrew Abbott

1838

to

The Honorable

the U. S. Congress

Washington

March

March 23rd January 1838

246. 247.