

MADRAS RECORD OFFICE.

Government of Madras.

Industrial DEPARTMENT.

G.O. No.	1794	Press
		~~Mis.~~
Dated	8-11-	1918

105-18

16/17

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
8th November 1867.*

No. 105. Read the following letter from the Civil Judge of Coimbatore, to the Chief Secretary to Government, Fort Saint George; dated Coimbatore, 19th October 1867, No. 14.

I have the honor to acknowledge receipt of the Order of Government, dated 23rd September 1867, No. 1534, expressing much surprise and dissatisfaction at my declining to express my opinion as to the necessity of preserving certain records of Moonsiffs' Courts, and directing me at once to report whether I consider that the system now in force, of destroying useless and old records, has at Errode been carried out to a proper extent, or whether the whole of those to which the District Moonsiff adverted in his Memorandum of the 15th June last must be preserved, and that I will fully explain the reasons on which my opinion is based.

2. In reply, I beg to state that when addressing my letter, dated 6th September last, No. 12, in which I am stated to have declined to express my opinion, I had not even the remotest idea of disobeying the order of Government or showing discourtesy to them. I considered that the subject was one which it was peculiarly the duty of the higher Judicial tribunal to decide, the question being a very general one, and as such applicable to all Courts, and that my opinion was liable to be over-ruled by the High Court and therefore of little weight. I have always been, and am most ready to obey the directions of Government, and never attempted or even thought of questioning the competency of Government to issue such directions as they may deem proper. If my opinion was erroneous it was simply an error of judgment, and I regret that it should have been made the subject of censure when there was nothing intentional.

3. In obedience to the directions contained in the present order, I called upon the District Moonsiff of Errode for a detailed list of the records to which he refers in his Memorandum of the 15th June last. This list, I think, comprises all the records in that officer's charge. I enclose a translation thereof, with my opinion, in the last column as to which of them may be destroyed.

4. The Moonsiff reports that some records have been destroyed, but he is not able to furnish a list, as none was kept at the time. The greater part of the records of the Moonsiffs' Courts are deposited in the Civil Court; so that the Moonsiffs have little to destroy.

No. 106. ORDER THEREON, 8th November 1867, No. 1794.

From the list of Moonsiff's records which accompanies the letter above recorded, the Governor in Council observes that a large proportion of the records are such as might, under the general orders on the subject issued by the High Court, have been destroyed.

2. The Governor in Council requests that the Civil Judge, if he does not feel at liberty to destroy such of these records as he has himself marked as being no longer required, will solicit the necessary authority from the High Court.

3. Pending the Civil Judge's action on the orders of the High Court, the decision as to increased accommodation for records at the Moonsiff's Court at Errode will be postponed.

(True Extract).

Chief Secretary.

To the Civil Judge of Coimbatore.

„ Public Works Department.

Ezd. J. Tallooh.

DEPARTMENT.

No. 2289.

From

The Civil Judge of Louisiana

Dated

19th October 1867.

FOR ORDERS.

Very few of the records in the list now
sent up by Mr. Cooke, are such as he might
not have ordered to be destroyed, under the
instructions of the High Court, as I recollect
these. Whether or not, they appear to me,
on a careful perusal of the list, to be
generally of so judicial a character, that
I should be better, I consider, to intimate
to Mr. Cooke that if under the order of
the High Court already issued on the subject,
he does not deem himself at liberty to
destroy those which he has marked for
destruction, he should solicit authority to
do so, from the High Court. Pending
the Civil Judge's action on these orders,

It would be well to let the question
of larger accommodation for records at
Crode, lie over. W.M.

List of records in the Errode Court referred
to by the Errode Munsif in his Memo: dated 15th June 1867.

By the Late Chogore Court.

No. of Books	Remarks.
17	From November 1822 to 25 th October 1825
1	For February 1826
464	From 6 th May 1826 to 15 th August 1866
3	From 1864 to 1866 / Small Causes /
3	Rough D ^o -
11	From 1850 to 1859
3	Register of suits filed from Chittiam - = galam Taluk from 1864 to 1866

These may be destroyed their
further use being superseded
by the fair copies.

Registers of
suits

3	D ^o of small causes from 1863 to 1866	3	These are books in which the daily proceedings to be con- = ducted in each suit are entered for the Munsif to sign orders. They may be destroyed -
12	File book of Appeal orders and decrees from 1847 to 1866	3	the Proceedings therein ordered being completed and brought into the Diary.
21	D ^o of Circular Orders of Civil Court from 1831 to 1866	13	These may be destroyed their further use being unnecessary from the abolition of the Chogore Court to which alone they refer.
	D ^o of Miscellaneous orders from 1852 to 1866		

Veze Books of 1838 and from 1845
to 1866. - - - - -

21

These may be destroyed for
the above reasons.

File book of Decrets/Memos/receives
from other Courts and Taluqs from
1847 to 1866 - - - - -

13

D^o - D^o -

Books for entering Yaddas/Memos
sent to other Courts and Taluqs from
1852 to 1866 - - - - -

18

D^o - D^o -

D^o for entering Yaddas/Memos sent
to other Courts in small cases - - - - -

1

D^o - D^o -

Book for entering Vezes presented by
Gomastahs, Tahils and others from
1862 to 1866. - - - - -

3

D^o - D^o -

General account Book N^o 1 from

1845 to 1865 - - - - -

25

D^o and because the present
Cash and Ledger books are
the only accounts kept -

D^o - N^o 2 of Decree amounts
received and expended from 1st Septem-
ber 1855 to 1st September 1865 - - - - -

8

D^o - D^o -

Books for entering Miscellaneous Peti-
tions from 1858 to 1860. - - - - -

2

May be destroyed the Court being
abolished and their further use
being unnecessary.

Account-book N^o 3 of accounts regarding
the pay of establishment from September
1855 to 16th August 1866 - - - - -

5

May be destroyed the present cash
and Ledger books are the only
accounts kept. The pay abstract
or acquittance roll will show the
particulars contained in this account.

D^o N^o 4 of Batta account from 1854 to 1866 -

19

May be destroyed being no longer
required. Under the present system
Batta is paid to the Constables
on service of Process and no previous
deposits of Batta are received.

N.B.
should

any balance
be found in
these books
as due to
any parties
for which
the Collector
believes there
will be no
they may
be adjusted
and parties
invited to
receive them
within a
certain date

afterwards
they may
be credited
to Govern-
ment.

Account-book N ^o 5 of different kind of fines from 1855 to 1865	14	May be destroyed being no longer required.
Account Particulars of Decees amounts to Book N ^o 2 for 1854 and 1855	2	May be destroyed as no longer required.
Book for entering Decees amount stamp penalties on documents, fines &c.	1	D ^o
Account Book of fees from 1835 to 1845	124	D ^o
Rough accounts for preparing Law - early accounts from 1864 to 1866	6	D ^o
A bundle containing Licentary and yearly accounts from 1864 to 1866	1	D ^o
A Book of monthly small cases		

islands from 1864 to 1866	1	D ^o
Books shewing the distribution of Pattra from 1854 to 1866	24	D ^o
Books shewing D ^o to Annis in 1865 and 1866	2	D ^o
Books shewing the list of Pattra from and Annis for 1862, 1864 and 1865	4	May be destroyed the establish- ment not being a Government one and there being no need to preserve records of their services.
Book shewing the N ^o of days Pattra Plans worked and the pay they received in 1865	1	D ^o
Chiege Books N ^o 1 from 1862 to 1866	3	
D ^o N ^o 2 from D ^o to D ^o	3	

Pay abstract Books for 1865 and 1866
 Acquittance rolls for Do
 Forward account Books
 Stamp Register books for 1864, 1865
 and 1866
 Five books for Do
 File Book of Village Munsifs Wages
 for 1866
 Account Book of deposits made from
 January 1858 to 1860
 Monthly Account of Petitions for 1858
 Miscellaneous Petitions books for 1858,
 1859 and 1860

Book containing list of Petitions and

copies of accounts for 1857
 Warrant deposit book for 1858
 Leave list of leave granted to Butta
 Pons and Amnis in 1865 and 1866
 Post Books for 1865 and 1866
 List showing distances in miles of
 Chycore District

Cash and Ledger Books for 1862, 1863
and 1864

Books showing the records forwarded
 to the Comptroller Munsifs Court
 regarding small Causes

2 May be destroyed the acquittance
 rolls being enough for reference
 2
 2 May be destroyed as no longer
 required.
 2 Do Do
 2 Do Do
 1 Do Do
 1 Do Do
 1 Do Do
 2 Do Do

Do Do
 Do Do
 Do Do
 Do Do

May be destroyed The Chycore
 District has passed in to the
 Comptroller Munsifs jurisdiction
 and that Officer has been
 furnished with a fresh list.

Sadar Courts' Rulings
 Civil Rules of Practice
 Hindu Law
 Do. English
 Tamil Copy of Mahomedan Law
 One دفتر containing Miscellaneous
 Petitions Books and files of Gadaat
 Memos from Sadar from 1854 to 1858
 One Do. containing Village Munsifs
 accounts from 1865 to 1866
 One Do. containing Memoirs for Diary
 for 1864, 1865 and 1866
 One Do. containing Miscellaneous Petition
 Books from 1857 to 1859

May be destroyed as no longer required.

Do. Do.

May be destroyed the further use being superseded by the Fair copy of Diary.

May be destroyed as no longer required.

One Do. containing Criminal Records
 One Do. containing monthly accounts from 1860 to 1866
 One Do. containing rejected Petitions from 1863 to 1866
 One Do. containing cleaved papers which form part of the Diaries but which fell off from the books of 1820, 1821, 1822, 1825 and 1826
 One Do. containing Circular Orders of High Court, Coimbatore Gazette, Acts and Police sheets from 1856 to 1866
 One Do. containing the later parts from 1858 to 1866 and odd chronologies

Do. Do.

Do. Do.

Do. Do.

Do. Do.

Do. Chronology

Registers of Miscellaneous Petitions from 1849 to 1866	21	May be destroyed as no longer required. D ^o
Registers of Copywrits from 1863 to 1866	4	D ^o
Total N ^o of Books	942	
Diarys	12	
Records of the late Browning Murray's Court.		
Diary books from 4 th January 1817 to 29 th Edm -	5	
D ^o from 1 st June 1818 to 3 rd December -	11	
D ^o from 1 st April 1820 to 31 st December -	8	
D ^o from 1 st January 1821 to 31 st December -	15	
D ^o - " - 1822 to D ^o - -	15	

D ^o from 1 st November 1831 to 15 th Aug ^r 1866	355	
D ^o of Chancery Causes from 1863 to 15 th August 1866 -	15	
Registers of Original Chits from 1857 to 15 th August 1866 -	13	
D ^o of Chancery Causes from 1863 to 15 th August 1866 -	5	
Miscellaneous Petitions Book from 1832 to 1866 -	26	May be destroyed as no longer required. D ^o
Report books in Regular and Chancery Causes	17	D ^o the proceedings here in orders being entered into the Diary.
Accounts books shewing decree amounts &c in deposit from 1845 to 1865 under the old form	95	May be destroyed as no longer required. D ^o
Account of receipt and expenditure of Balles Cash and Ledger Books -	59	D ^o - - D ^o
	6	

16	Cheques books		
3	Books of withdrawal certificate forms		Except the Blank forms rest may be destroyed as no longer required.
1	Register showing the return of document		May be destroyed as no longer required the documents themselves being liable to be destroyed under existing orders.
3	Order books from Calcutta Seta Court in 1823 and 1824		May be destroyed as no longer required.
58	D ^o from the Civil Court of Calcutta from 1847 to 1866		D ^o the Court being abolished.
38	File Books of Yaddul Munasip &c received from other Courts	D ^o	D ^o
4	File books of Village Munasip &c	D ^o	D ^o
	Books wherein Wages are entered from 1844 to 1866		May be destroyed as no longer required.
51	Munee Registration of Decrees		
2	Books of cases to be entered in Decrees		May be destroyed as no longer required.
9			

1	Stamp Registers Books	D ^o	D ^o
3	Family Regulation Books		
1	Dafter containing rejected Petitions		May be destroyed as no longer required.
1	D ^o containing monthly & Quarterly accounts	D ^o	D ^o
1	D ^o containing Regulation and Court Rules &c		
1	D ^o containing the Court Regulations books		
867	Total Books &c		
4	Dafters		
<u>Errata Munasip's Records.</u>			
9	Diary books from 16 th August 1866		
2	Register of Original Chits for 1866 and 1867		
2	Report Books of Original Suits for D ^o		
3	Register of Petitions in regular Suits for 1866 and 1867		

Register of Miscellaneous Petitions for 1866 and 1867	2
Memo books for Diary for D ^o	5
Memo for entering returned documents	4
Books for entering orders to Village Munsifs	2
Books for entering sale certificates	2
Calendars	2
Cash and Ledger Books	2
Pay abstract	1
Stamp Register Books	1
Book of fines	1
Forward Book	1
Assessment roll	1
Books for entering Appeals	2
D ^o for Memo (Farducto)	2

Cheque books	2
Copyist Register book	1
Books for entering English letters	3
Book about money belonging to Establish- ment received and expended	1
Batta accounts Book	4
Batta distribution account	3
Memos for preparing Quarterly accounts	6
Safford Book	2
Small Cause Diary Books	3
Registers	3
Memo for Diary	2
Report Books	2
Miscellaneous Petition book for 1867	1
Books for entering the monthly and other accounts	3

Letter book for references to High Court	1
Dusters containing undisposed of suits	1
D ^o of small causes	3
D ^o containing records of Miscellaneous Petitions in regular suits	1
D ^o containing records of Miscellaneous Petitions in small causes	1
D ^o containing Tamil and English Acts of 1866 & 1867	1
D ^o containing dismissed Petitions in D ^o	1
D ^o containing Village Municipals accounts in D ^o	1
Total Books Nos.	81
Dusters	9

Cumblers

Zila Court

19th October 1867.

Robert
Clerk Judge.

PROCEEDINGS of the MADRAS GOVERNMENT:

Read the following letter from
the Civil Judge of Coimbatore.

Recd entry 19th Oct 1864 No 14.

Order thereon 8 Nov: 1867 p: 1794.

From the list of Moon's records which accompanies the letter above recorded, the Governor in Council observes that a large proportion of the records are such as might under the general orders on the subject issued by the High Court have been destroyed. Gov. in Council
2. reports that the Civil and
S. J. Judge will be directed

Encluse 1851

Quelle pour

Chilodactylus

18th Feb 19

October 1857.

Dec: 8: 11 Nov: 1894

July 1860

Required to be done

Alwards' Men

Charles B. Vance

1867

Li 2202289/03

limited, if he does not feel
at liberty to destroy such
of these records as he has
himself marked as being
no longer required, ^{with} ~~to~~ solicit
the necessary authority
from the High Court.

3. Pending the Civil
Judge's action on the order
of the High Court, the
decision as to increased
accommodation for records
at the Moonsiff's Court
at Errode will be post-
poned.

WV

to the Civil Judge of Coimbatore
P. N. Deputo

Dec 13/11

105-106

Wm. L. Butcher
and wife

Wm. L. Butcher
and wife
1867

Wm. L. Butcher
1867. Department.

No. 1194

PROCEEDINGS OF GOVERNMENT.

of 1867.

Dated 8th November 1867

C. J. Brown
Ry.