

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	52	Press ~~Mis.~~
Dated	15-1-	19 1868

Not to be folded or roughly handled

No. 86. Read the following letter from E. W. BIRD, Esq., Civil and Session Judge of Tanjore, to the Chief Secretary to Government, Fort Saint George; dated Tanjore, 19th December 1867, No. 942.

With reference to the orders of Government, No. 1773, of the 8th November 1866, directing me to pay one-half of the rental of the entire buildings in which the Civil and Sessions and Principal Sudder Ameen's Courts are held at this place, I have the honor to state that, having no further need of the additional accommodation placed at my disposal on these premises by the Government orders of the 28th July 1863, No. 1211, I relinquished it on my return here, and it is available now for the use of the Civil and Sessions Court's establishments. Under these altered circumstances, I would wish to be informed if the Government still desire me to pay the increased rent of 70 Rupees for the upper story only, now in my occupation. I would beg to submit that as the Government occupies the whole of the lower rooms in the main buildings, the house wherein the Principal Sudder Ameen holds his Court, and also the bungalow adjoining the main building, it is scarcely equitable that my share of the rental for four or five rooms only should be a moiety of the whole sum payable for two separate buildings, and the whole ground floor of a third.

2. Since my return to Tanjore, I have found that the records of the Courts, in consequence of the periodical destruction of useless papers under the High Court's orders, have become greatly reduced in bulk, and occupy far less space than they did when I left Tanjore for England in March 1866. It will be, therefore, quite practicable to locate a part of this Court's establishment in rooms formerly occupied by the Court's records, and the "drawing room" relinquished by me being also used for the accommodation of the establishment, no necessity exists for the further occupation by Government of the small detached bungalow adjoining the main building. The rent of this building represents 20 Rupees out of the 140 Rupees for which the "Residency" was rented by Government by their Order of the 27th June 1863, No. 179; and I beg to suggest that this sum being deducted on the relinquishment of the bungalow from the gross rent, my quota of the remainder for the upper story [alone may be fixed for the rest of my stay here at 50 Rupees, and the Government share of the rental at 70 Rupees. Should the Government, however, consider I ought to pay the moiety of rent due on the two separate buildings in the Residency grounds, I am of course ready to bow to their decision, and will pay it accordingly.

3. At the risk of incurring the displeasure of Government, I feel bound to allude here to the remarks on the subject of my long continued occupation of these premises, contained in the Government Order, 8th November 1866, No. 1773, and which have only now been brought officially to my notice. I have done my best to secure accommodation elsewhere in this place, and have not succeeded. The exceeding difficulty experienced by my acting predecessor in his endeavours to obtain a house are detailed in paragraph 6 of his letter to Government, dated 19th September 1866, No. 479. No eligible residence is even now available, or seems likely to become so, ere the six months given me to remove my quarters will expire. There are in fact only sufficient habitable houses in this place to accommodate the existing residents, and no more. No new houses have been built, or are likely to be built, while the long delay in erecting the new Court-houses by Go-

Wm J A

W. Bird points out that

*Proceedings of the Madras Government, Judicial Department,
15th January 1868.*

vernment exists. I am not myself in a position either to purchase a house here if there were one for sale (which there is not), nor at my time of service to build one. Under these circumstances, should I have been unable on the 5th June next to obtain accommodation elsewhere, in spite of my best efforts to obtain it (which, of course, I will bind myself to use), I must then throw myself on the kind consideration of Government, in view to being permitted to continue the tenancy of the upper story at such rent as Government may fix, or if the case does not seem to Government one wherein my private accommodation ought to be considered, will abide such orders as the Government may then consider called for.

No. 87.

ORDER THEREON, 15th January 1868, No. 52.

As Mr. Bird states that there is no house at present in Tanjore which can be rented for his accommodation, the Governor in Council is willing to allow the Order, No. 1773 of the 8th November 1866, to remain in abeyance, and under the circumstances stated in his letter above recorded, Mr. Bird is permitted to occupy the upper story of the Tanjore Residency at a reduced rent of Rupees 50 per mensem.

2. The Governor in Council is still of opinion that there are serious objections to any portion of a building which is used as a Court-house being occupied as a private dwelling by the Judge of that Court, and expects that Mr. Bird will lose no opportunity which may occur of renting a house, and of thus conforming his conduct to the opinion of Government repeatedly expressed.

3. The Residency is in many respects unsuited for a Court-house, and the Governor in Council directs that the plans and estimates, which it is believed have been prepared in the Department Public Works, be submitted for sanction, with a view to the construction of a Court-house at Tanjore being commenced without further delay.

(True Extract).

Chief Secretary.

To the Civil and Session Judge of Tanjore.
" Public Works Department.
" Accountant General.
" Collector of Tanjore.

Exd. J. Tulloch.

I would allow Mr Bird to continue occupying the upper room of the Residency and must not charge him more than Rs 50 for it. We ought to build a Court House as soon as possible for the Residency is quite unsuited for the purpose though a well adapted for

Memo for order.

In this letter Mr Bird the Civil and Session Judge of Tanjore brings to notice that he no longer requires for his private use the drawing Room of the Residency and that he has given it up for the use of the Civil Sessions Court. It is suggested that his rent should be reduced from 70 Rs. to 50 Rs.

The allowing the Judge to occupy the upper part of the Residency temporarily - the lower part being used as Court House, has always been considered a favor and I do not think that the rent should be reduced as proposed by Mr Bird.

Mr Bird points out that

a private residence.

Y. A.

he cannot get a house in Tanjore
in which he can live, and
this is true (see Mr. Davidson's
letter) and that it would
not suit him, what the
desire of his service to buy
or build a house. He therefore
prays that he may not
be made to vacate the
Residency in June as
was ordered by Govt.

I submit that it would
be a serious hardship
to make Mr. Bird, under
the circumstances vacate
the upper floor of the Residency.

When the Govt in 1862
were so urgent on this
point the Residency

must certainly

Y. A.

The case of Mr. Bird's
occupancy of the upper
part of his own front house,
does not seem due to be
properly put before the
last letter. - He has
been holding on as a tenant
on 50 Rs a month. (The
Court that an apartment should
pay for a house as being
as much as that) and
missed several opportunities
of buying or renting houses
rather than quit the cheap
accommodation at the Govt
sublet to him. The late
acting Judge, Mr. R. Davidson,
told me the other day only
that the position of the
house above the front house,
is productive of great & work
unbecomingly inconvenient,
to the section, witnesses to
others who are obliged to
work to the front house.
He also mentioned that
the Govt - as, indeed, our records
show - are occupants of the
"Residency" against the
will of the owner & that
unless the Govt determine
to place them elsewhere above
the law, it is possible that
a notice to quit the premises
may at any moment be
served by the proprietress
Kamalakshi Bai Sahib.
I think Mr. Bird should be
told that the Govt expect him
was considered the property
of the State. It is now I
believe recognized as
the property of the State
and rented from her.
and the Govt have been
long intending to
build a suitable front
house. -
It may be, I think, as
well, as the Govt do
intend to build a front
house, to leave matters
as they are & not to
force the Judge to
leave a portion of
the hired building used
as a Court house. -
With

to comply with the
 requirements of the order of
 1000. but he takes ex-
 ception at the store of
 a period of 6 months to
 make his own arrangements
 for a private residence

W.D.

proposed to be done
 in connection with the
 residence of the Governor
 in the city

Direct Committee
 to be formed

Enclosed

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the

Civil and Session Judge of
 Tanjore
 (see entry 19 Decr 1867 No 962)

Dated 15 January 1868 A.D.

As Mr Bird states that
 there is no house at present
 in Tanjore which can be
 rented for his accommodation
 the Governor in Council is
 willing to allow the Order No
 1773 of the 8th November 1866 to
 remain in abeyance, and
 under the circumstances
 stated in his letter above
 recorded, Mr Bird is permitted
 to occupy the upper story of
 the Tanjore Residency at a
 reduced rent of Rs 50 per
 mensem.

2. The Governor in Council
 is still of opinion that there
 are serious objections to any
 portion of a building which
 is used as a Court House,
 being

108-110
 8-11-66
 5757
 15-11-66
 241-243
 23-9-62
 266-7
 2-8-7-63
 1223
 9-8-62
 218-21
 18-3-64
 41-42
 27-6-63

W.D.

W.D.

being occupied as a private dwelling, and expects that Mr. Bird will lose no opportunity which may occur of renting a house.

3. - The Residency is ^{not} in many respects ^{admirable} for a Court House and the Governor in Council directs that the plans and estimates which it is believed have been prepared in the Department Public Works, be submitted for sanction, with a view to the construction of a Court house at Tanjore being commenced without further delay - W. L.

by the Judge of the Court N.

and of thus conforming his conduct to the opinion of Government is respectfully expected.

N.

W. L.

Civil & Ses. Judge of Tanjore
P. W. Department
Asst. General
Collector of Tanjore

W. L.