M.R.O. 1—38,060—16-10-29.

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 est blishment 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 arrangement ants to Rupees 3,149-5-4 will appear from the statement in the margin.*

* *New Civil and Sessions Court at Negapatam.*

1	*Civil and Sessions Judge...*	*Rupees*	2,333	5 4
	Establishment...	,,	709	0 0
1	*Mufti Sudder Ameen..*	,,	200	0 0
	Establishment.	,,	70	0 0
	Fixed Jail Guard.	,,	176	0 0
1	*Principal Sudder Ameen.*	,,	500	0 0
	Establishment...	,,	507	0 0
	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 4
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.
	Record Room	19 „ by 15	
	2 side rooms, each	18 „ by 8	
Hospital.	Surgery	15-9 „ by 18	
	Office	30 „ by 18	Civil and Session Court.
	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.

115. 116

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 the first 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.—

+ a day to be hereafter postponed

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 Valangaman, Kudavasal, Papanasam, Valangaman, Tiruvadi, Mannarkovil, and Pullukollai. The Station of the Civil & Session Court subordinate

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 Mufty Sudder Ameen Court, and the Court of a Principal Sudder

Court's Mufty Sudder Ameen Court will preside in Combaconum

The Civil & Session Judge - Sub Judge & Principal Sudder Ameen of Combaconum with the Judge Sub Judge & 2nd Assistant Judge

Sub Judge & Principal Sudder Ameen of Negapatam

Instructed
20th July 1860

Sudder Ameen, with jurisdiction over
the remaining talooks of the said
Collectorate i.e. Sirkáli, Máyaváram,
Kuttálam, Tranquebar, Nágalam, Nan-
-nilam, Sirvalún, Kilvalún and
Tiruttaraípúndi.-

C. S. Chamier
Registrar.

Confirmed in Collr's Proc. dated 25th April 1860 No 237.
Rec'd 20th April 1860 No 231.

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

Civil and Session Judge of Combaconum.

1	Salary of Civil Judge		2,333 5 4	
	Establishment of Do.		709 . .	
	Saderward — of Do.		35 . .	
				3,077 5 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.	210 . .	
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 . .	
				1020 . .
				5927 5 4

Sub Judge Combaconum.

1	Salary of Sub Judge		1400 . .	
	Do. — of Establishments		636 8 .	
	Do. of Jail Do.		176 . .	
	Saderward — Do.		20 . .	
				2,232 8 .
				2,232 8 .

Principal Sudr Ameen's Court

1	Principal Sudr Ameen's 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 4
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 . .
			Total Rupees	10176 13 4

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

Civil Auditor.

passed yesterday
along with the letter
from the Govt of India
I sent on to the
new Court -

JP

Encl: I

Recd ... No 677

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

25th April No. 37.

18th May No. 45.

Here two letters may be recorded at the head of the order

Resolved that the Notification prescribed in the above letter be published in the Fort St. George Gazette, the date on which it is to have effect being fixed by the

Resolved also that the confirmation of the Govt of India be solicited to the arrangement under Sect. LIII Act VII-1843 and their sanction for the expenditure involved according to the allowance to the two P.S. Ameens Copies

Registered

dist
Counsil
25-5-60

19

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

JP

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. 5529.)
Read also the following letters from the Registrar of the Sudder Court, dated 25th April & 18th May 1860. Nos. 37 & 45)

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 Coimbatore 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.—

4800

9

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.

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 20th

F. Monrad

Sent Canvas

Judicial Letter to Engd of 31st October
No 33 of 1860.
20/=/60

Pro of July

Judicial 1860 Sept 6

No 906.

Proceedings of Govt

d/20 July 1860

~~Ft. 1314.~~ 70/62.
~~" 1588.~~
~~" 1645.~~

Directing that a copy of the Extract from the Pro. of the Govt. of India be furnished to the Sudder Court, to 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.-

1153
1154 1156.