

(1) Number of pages 36

(2) Date of repair -9-87

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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Judicial

DEPARTMENT

G.O. No.

~~B.P. No.~~

1867

Press.

~~Mis.~~

Dated

7-10-1874

198

A.K.

Not to be folded or roughly handled.

*Proceedings of the Madras Government, Judicial Department,
7th October 1874.*

Read again Proceedings of Government, No. 1360, dated 25th July 1874.

Read also the following papers:

to report to the Government.

Courts in this town to consider if the admittedly inefficient office establishment at the Town Police Court could be supplemented by any transfer from, or reduction in, the Egmore Court.

2. We are unanimously of opinion that no reduction of the present staff at the Egmore Court can be made without impairing the efficiency of that establishment, which is calculated on a scale, but barely commensurate with the amount of work to be performed. It must be remembered that the Egmore Police Court now does the work of, and exercises jurisdiction over, two of the three districts into which the town of Madras was formerly divided, *viz.*, the late Royapettah and Vepery

• *File G.O., No. 1871, 20th November 1867.*
G.O., No. 75, 15th January 1869.

Courts, attached to the 2nd and 3rd Districts. So far back as 1867* appeals were made to Government by the Magis-

trates of all the Police Courts for some increase to their establishments, but Government declined to grant the application.

3. In 1868 Government sanctioned the proposal to amalgamate the two Courts—Royapettah and Vepery—and directed a “revision of the establishments of the late separate Courts of Vepery and Royapettah such as will, without any increased charge, secure a thoroughly efficient establishment for the Royapettah Court.” This was done by reducing the number employed, thus allowing the salaries to be fixed at a rate which would be likely to secure and retain the services of well-educated men.

4. Active legislation and an extension of the jurisdiction of the Magistrates caused an increased pressure of work in both Courts. This strain the Egmore Court has been enabled fairly to meet owing to the more efficient establishment which the revision provided at no extra cost to the State; indeed, there is a prospective saving by reducing the number of claimants for the future bounty of Government.

5. Unfortunately there were no means available to improve the position of the employes in the Town Police Court, and there is no doubt that, had not the amalgamation of the Vepery and Royapettah Courts been carried out, both of those establishments would now be in the same condition as the Town Police Court and be as urgently in need of assistance. The Presidency Police Courts cost no more than they did nearly twenty years ago, when the substantive law they had to administer was comprised in one or two simple Regulations.

6. The passing of (Madras) Act VIII. of 1867, which extended the jurisdiction of the Police Magistrates, gave enormous relief to the High Court and Crown Office. Formerly there were from sixty to ninety cases for trial at each Sessions, now six

*Proceedings of the Madras Government, Judicial Department,
7th October 1874.*

to right form the usual Calendar. We believe this relief to the High Court has
afforded of considerable relief in that direction, and we respectfully

Magistrate of Police. The Courts will probably render some revision imperative.

(Signed) T. G. CLARKE,
(") T. WELDON,
(") R. P. CAMPBELL,
(") P. SREENEVASA ROW,
Magistrates of Police.

No. 23. From Lieutenant-Colonel T. WELDON, Magistrate of Police, to the
Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort
St. George, dated Egmore Police Court, Madras, 25th August 1874,
No. 84.

In accordance with the instructions conveyed in official memorandum from
the Acting Under Secretary to Government, dated 21st August 1874, No. 246,
Judicial Department, I have the honor to submit detailed statements of the work
of this Court during the last three years.

No. 24. From T. G. CLARKE, Esq., Magistrate of Police, to the Honorable
D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St.
George, dated Town Police Court, Madras, 30th September 1874 No. 94.

With reference to the official memorandum from the Acting Under Secretary
to Government, dated 21st August 1874, No. 246, I have the honor to forward
Returns, marked A and B, showing the work performed in the Town Police Court
during the last three years; and, as merely figured statements will not satisfactorily
afford information as to the work in the Magistrate's Court, I have submitted a few
brief notes of explanation annexed to the statement.

No. 25. ORDER THEREON, 7th October 1874, No. 1867.

The establishment of the Town Police Court having been represented to be
insufficient, the Magistrates of that Court and of Egmore were requested to confer
on the subject and to report whether any assistance could be given from the Egmore
Court, the cost of which is Rupees 657-0-11 a-month, against Rupees 420-8-9 for
the Town Court.

2. The Magistrates reported that it was impossible; that the establishment of
the Egmore Court just sufficed to enable the Court fairly to meet its duties.

*Proceedings of the Madras Government, Judicial Department,
7th October 1874.*

3. Returns of the work of each Court were then called for: they are not
identical in form, but the general result appears to be as under, taking the average of

the average fees and
to Rupees 15,224. Egmore to Rupees 16,111; 11, 11,

4. The complexity of the cases in either Court cannot, of course, be gauged by
these figures; but, looking at the situation of the Town Court, in the mercantile
quarter of Madras and in the vicinity of the public offices, the shipping, &c., it may
be supposed that the heavier description of work is taken up there. On the other
hand, the fewer cases filed, and the lesser number of processes issued, are arguments
in favor of its having a smaller establishment of Clerks than Egmore.

5. The Governor in Council resolves to request the four Magistrates to meet
and determine what addition to the "admittedly inefficient office establishment"
at the Town Police Court, is absolutely required. It is assumed that the mode of
conducting business, and the number and form of the books, statements, and
Returns kept are the same in both Courts. It should be considered whether any
improvement or diminution of work is possible in these quarters. From Mr.
T. G. Clarke's letter recorded in G.O., 20th November 1867, No. 1871, it appears
there are seven Clerks, four of whom draw no more than 21 Rupees each, a rate of
pay which can hardly obtain intelligent work. One of the two Interpreters at 100
Rupees each might, on the other hand, be dispensed with, now that a Native
gentleman has been appointed to be one of the Magistrates of the Court. A careful
revision of the establishment should form the subject of deliberation, before any
increase of cost is suggested. A Return of the duties of each member of the
Egmore establishment should accompany the report.

(True Extract.)

D. F. CARMICHAEL,
Acting Chief Secretary.

To the Magistrates of the Egmore Police Court.
do of the Town do.

Ed. A. S. Rodgers.

Statement showing
the Judicial work
of the Supreme
Court during the
last 3 years -

Pres. C. T. Smith, Jan. 20.

Ind. 2170/74

Judicial work of the Quora Police Court for years 1871. 1872. 1873.

Year	Number of applications for summonses issued. Magistrate direct.	Number of cases called for hearing including cases run up by the Magistrate.	Number of cases actually tried.	Number of inquiries held in previous cases.	Number of processes prepared as per form.	Amount of fees and fines awarded to Government as per form.	
1871.	8.719.	11.713.	6.122.	38.	19.107.	14.657.	8. 9.
1872.	6.523.	11.091.	7.637.	23.	15.109.	14.641.	13 1.
1873.	6.739.	13.114.	9.489.	30.	18.429.	19.213.	12 8.
					51 157	58 513	2 6
					175	16171	

Trinart.

Quora Police Court
Madras 25 August
1874

Theedwa
Magistrate of Police

Pres. Carter 1/4 1974

Admiral 2498/74

Statement showing the financial results of the Madras

Police Court during the years 1871, 1872, and 1873.

1873

Fines & Forfeitures

Total - Municipal

Years

Process
Summons Subpoenas under Act
XIII of 1859

Total

Fines Forfeitures Total

Fines and Fines
credited to
Government

1871 4834 . . 1545 . . 214 . . 6593 . . 9155 10 7 11 15 . 9170 9 9 15763 9 9 876 8 .

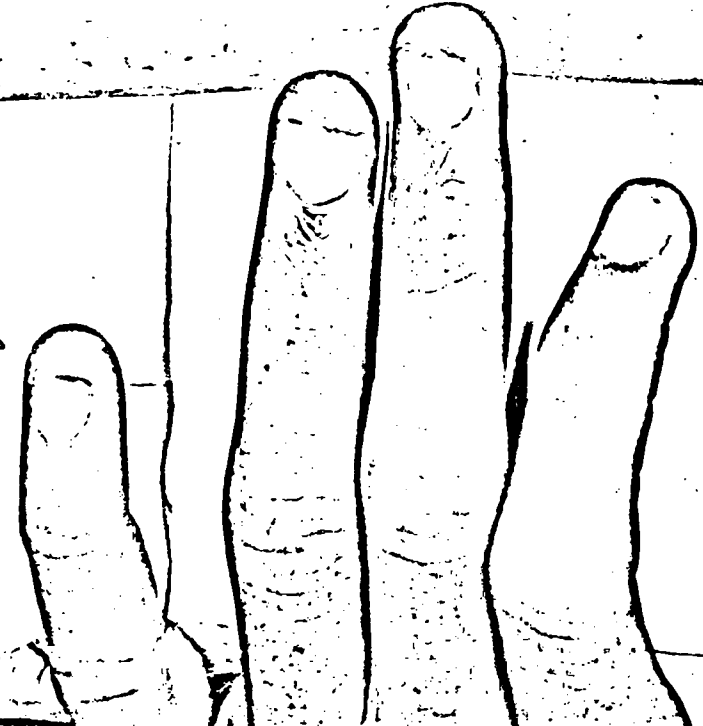
1872 3517 . . 1462 12 . 250 . . 5329 12 . 9194 12 3 13 7 9 9208 4 . 11538 . . 264 . .

1873 3514 8 . 1802 . . 351 . . 5807 8 . 9549 15 13 2 10 9563 2 2 15370 10 2 258 . .

Total 12105 8 . 14807 12 . 815 . . 17730 4 . 27900 6 4 141 9 7 27941 15 11 15672 3 11 1398 8 .

Madras Town Police Court
30 September 1874

The Commissioner
Magistrate of Police



Statement Showing the work of the Madras Town Police

during the years 1871-1872 and 1873.

Number of Complaints registered
Number of Process issued
Number of cases entered for trial
Number of Warrants issued
Number of Warrants committed
Number of Statements taken from vagrants for admission into Government Work House
Number of Orders issued for maintenance of wives and children
Number of Cases committed for trial at the Sessions

Remarks

Years	1	2	3	4	5	6	7	8	
1871	8601	16062	11893	500	687	55	109	31	
1872	5823	13330	8927	261	674	27	78	10	* The decrease is owing to the abolition of the Income Tax.
1873	6265	13978	8880	208	823	51	86	16	
Total	20689	43370	29600	969	2184	133	273	57	

Madras Town Police Court
30th September 1874

4027
569
2184
273
6679

15598

W. H. M. S.
Magistrate of Police

[illegible]

Statement of Fees and Fines levied in the Police Court of the Southern Division of Madras for years 1871-1872 and 1873

Date.	GOVERNMENT.					
	FINES AND FORFEITURES.			FEES.		
	Fines.	Forfeitures.	TOTAL.	Summons.	Subpoenas.	Process under Act. XIII. of 1859.
1871	7713 10 27 2 11	7740 4 9	4744 8 .	1818 12 .	354 . .	
1872	9142 6 2 15 6 11	9187 13 1	3534 4 .	1537 12 .	382 . .	
1873	12286 9 6 18 7 2	13335 . 8	3726 8 .	1711 4 .	431 . .	
Total	30112 1 6 121 1 .	30263 9 6	12015 4 .	5067 12 .	1167 . .	
Average	10047 5 10 40 5 8	10087 11 6	4005 1 11	1689 4 .	389 . .	

Comptroller Police Court
Madras
25th August 1874

MUNICIPAL FUND.				Income Tax		
TOTAL FEES.	TOTAL FEES AND FINES CREDIT TO GOVERNMENT. <i>Exclusive of Income Tax.</i>	Fines.	Costs.	TOTAL.	Fines	Total
6917 4 .	14657 8 9	269 13 8	10 . .	279 13 8	2268 . . 8 .	27 . .
5454 . .	14641 13 1	553 8 .	34 . .	587 8 .	59 . . 8 .	39 8 .
5878 12 .	19213 12 8	1163 1 6	37 4 .	1200 5 6	78 . . 1 .	79 . .
18250 . .	48513 2 6	1986 7 2	81 4 .	2067 11 2	2138 . . 2 .	345 8 .
6083 5 4	16171 . 10	662 2 4	27 1 4	689 3 8	114 8 . . 10 8	115 2 8

Municipal
Trustee

Register of Processes issued from the Royapet Police Court

during the years 1871, 1872, 1873

1871	WARRANTS.										ORDERS.				
	In the first instance	Subpoena	Search	Remand.	Distress.	For Trial to the High Court	Committal On Conviction	In default of Security	Summons	Subpoena	Under Act XXI of 1864.	Under Act XIII of 1859 (Breach of Contract)	Under Police Act (M) VIII of 1867. (Maintenance.)	Under Act XXI of 1869 (Vagrant Act.)	Under Act XV of 1869 (Prisoners' testimony Act.)
1871	9	175	"	34	41	18	550	"	10225	7604	"	65	73	8	1
1872	71	80	"	65	64	23	603	2	7355	5241	"	97	89	4	2
1873	16	106	"	53	33	25	1021	"	8798	7899	"	105	77	3	1
2166															
2															
Gumori Police Court Held on 25th August 1874.															

RECOGNIZANCES.						NAME	Calendar No. of case.	REMARKS.
For appearance of Accused.	To attend and give Evidence.	To keep the Peace.	To perform order. (Act XIII of 1859.)					
264	12	3	2			Total		Till 1874 no regular kept of Affidavits & declarations. Attended for the present year 1874. To date the number of these = 66.
333	39	7	"			15109		
254	24	12	3			18429		

Given by the Court
 Monday 25th August 1874

William
 Magistrate

is committed to jail under warrants specified in Col. 5. After the expiration of the term of imprisonment, the Warrants are invariably returned to the Court; and the same are arranged, registered, and furnished to Police officers from time to time for the purpose of proving previous Convictions. This additional work has devolved on the Establishment since November 1865.

The Statements referred to in Col. 6 contain the history, or the antecedents, of the Vagrant to the date of his application to the Magistrate for admission into the Government Work House, an abstract of his Statement is also made, together with an order for his admission. This entails additional labor on the Establishment, as often 30 or 40 Vagrants apply for admission on the same day; but owing to the inefficiency of the Establishment some of the applicants have to be put off from day to day.

A Written order is always made out, registered, and given to the wife or mother of the child in each case of maintenance, disposed of by the Magistrate.

After the minutes of evidence in the Cases referred to in Col. 8 are taken down, they are fair copied and an Instrument of Charge in writing, signed and sworn to in each Case are drawn out, for transmission to the Session Court. At times the transcription of records in these, as well as in special cases, are so voluminous that owing to the want of clerks, special applications have been made to Government for the temporary employment of additional hands.

The

The ordinary work of the day employs most of the clerks on the Establishment in the preparation of monthly Statistics, account Currents, the keeping of Books, and the preparation of yearly Return to the High Court, and the half yearly statement of Vagrants to the Inspector-General of Police, and other miscellaneous work can scarcely be done by the present limited Establishment without unavoidable delay.

*Calendar of Cases
Register of applications
— of Maintenance Orders
— Lunatics
— Apprentices
— Printing Presses
Cash Book
Monthly account Current
— Criminal Statistics

Madras Town Police Court
30th September 1874

W. S. S. S.
Magistrate of Police.

Town Police Court, 1.
No 77 Madras, August 17.
1874.

72
From,
The Magistrates of Police,
For the Town of Madras.

To,
The Honble S. Sarnicharb,
Assistant Secretary to Government,
Colacumund.

Sir,

We have the honor with reference
to Government Order dated 25 July 1874,
No: 1366, to report the result of the con-
ference held by the Magistrates of both
the Police Courts in this Town to consider
if the admittedly, inefficient Office
Establishment at the Town Police Court,
could be supplemented by any transference
or reduction in the Esquire Court.

2 We are unanimously of
opinion, that no reduction of the present
staff at the Esquire Court, can be made
without impairing the efficiency of
that Establishment, which is calculated
on a scale, but barely commensurate
with the amount of work to be performed.

Y

It must be remembered that the
General Police Court now does the
work of, what were once jurisdiction
over, two of the three Districts, in
which the Town of Madras was
formerly divided, viz. the late Nag-
pet and Pory Court, attached to the
2nd and 3rd Districts. So far back
as 1857, appeals were made to Govern-
ment by the Magistrates of all the
Police Courts for some increase to their
establishments, but Government declined
to grant the application.

* Vide
G.O. no. 1871
20th November 1871
G.O. no. 78
13th January 1872.

3. In 1862 Government sanctioned
the proposal to amalgamate the Nag-
pet, Nagapettah and Pory Courts
directed a "revision of the establishments"
of the late separate Courts of Nagapettah
and Pory, such as will, without any
"increased charge, secure a thoroughly
efficient establishment for the Nag-
pet Court". This was done by re-
ducing the number employed, thus
allowing the salaries to be fixed at a
rate which would be likely to secure
and retain the services of well educated
men.

4. Active legislation and con-
tinuance of the jurisdiction of the
Magistrates caused an increased pressure

of work in both Courts. This strain,
the General Court has been enabled
fairly to meet owing to the more
efficient establishment, which the
revision provided at no extra cost
to the State. Indeed, there is a pro-
spective saving by reducing the
number of claimants for future
bounty of Government.

5. Unfortunately there were
no means available to improve
the position of the employees in the
Town Police Court, and there is no
doubt that, had not the amalgamation
of the Nagapettah and Pory Courts been
carried out, both of those establish-
ments would now be in the same
condition as the Town Police Court,
and be as urgently in need of assist-
ance. — The Presidency Police Courts
cost no more than they did nearly 20
years ago, when the substantive law
they had to administer was comprised
in ~~one or two~~ two simple regulations.
6. The passing of (Madras) Act VIII of
1867 which extended the jurisdiction
of the Police Magistrates, gave enormous
relief to the High Court and Crown Office.
Formerly there were from 60 to 90
cases for trial at each Session; now

to form the usual standard. We
believe this relief to the High Court has
allowed of considerable reductions
being made in that direction and
we respectfully suggest that possibly
some portion of the saving of the
franchise thereby effected may be
available to supplement the establish-
ment of the Police Court which have
relieved the Superior Court to such an
extent — A comparatively small
amount would probably suffice
to place the clerk of the Town Police
Court on a proper footing.

The contemplated application
of the Code of Criminal Procedure to
the Presidency Police Courts, will probably
render some revision imperative.

We have the honor to be,

Sir,

Your most obedient Servant,

W. Macleod

Attorney

W. Macleod

Magistrate of Police

Magistrate of Police

Agumore Police Court
Madras, 25th August 1874.

No: 84 of 1874

From,

Major J. Weldon,
Magistrate of Police.

To,

The Honorable D. J. Carmichael,
Acting Chief Secretary,
to Government,
Fort St. George.

Sir,

In accordance with the instructions conveyed in Official Memorandum from the Acting Under Secretary to Government dated 21st August 1874 No. 246, Judicial Department, I have the honor to submit detailed Statements of the work of this Court during the last three years.

I have the honor to be,

Sir,

Your most obedt. Servant

Weldon

Magistrate of Police

3 Enclosures

1177

J. G. G. 1874

1874

1874

Madras Town Police Court

Nº 94.

30th September. 1874

Yours

J. G. Clarke Esq:

Magistrate of Police,
Madras

To The Honorable D. F. Carmichael
Chief Secretary to Government
Fort St George.

Sir, * With reference to the Official Memo from the Acting Under Secretary to Government, dated 21st August 1874 No 246, I have the honor to forward Returns marked A and B, showing the work performed in the Town Police Court, during the last three years; and as merely figured statements will not satisfactorily afford information as to the work in the Magistrate's Court, I have submitted a few brief notes of explanation annexed to the Statement.

I have the honor to be,

Sir

Your Most Obedient Servant,

Heckler

Magistrate of Police

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1876. April 22.
No. 2495.
Wm. B. Barker, Esq.,
Superintendent of the
New York State Prison,
Albany, N. Y.
Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 18th inst., and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.
Very respectfully,
J. B. Barker, Esq.

forwarding the letters
 marked A and B showing the
 same to the farmer in the
 same place. I would like
 to see the letter from the
 the last time you are.

From T. E. (Cedar Gap, Town Place Ct
at 30 Sept 74 No 94.

[Handwritten signature]

3. Returns of the works of each Court were then collected for: they are not identical in form, but a general result appears to be as under:-
4. Taking the average of the last three years.

	Total Cases entered for training	Total cases among total high C.	Total % of all kinds.
Esquimaux	11,974	22	17,548
Town	9,866	19	15,598

The average fees & fines realized amount to
Eggs to Rs 16, 17; in Town, to Rs 15, 224.

A further species, the

4. The complexity of
the case in which it cannot be
suggested by these figures; but looking at the
distribution of the Town of C., in the various
quarters of the town & in the vicinity of the
shipping etc., it may be supposed that the
various descriptions of work is taken up
here. On the other hand, the paper contains
filled & in a few numbers of processes which
subjects are arguments in favor of its being
in smaller amount of which have
known.

5. The conf. resolves to request the four
clergy to meet & determine what other
addition to the "admittedly inefficient
Office Books" at the Town Bible Comtee,
is absolutely required. It is assumed that
the mode of conducting meetings, & the number
of forms for the Books, Statements, & Returns
kept are in harmony with the Comtee. It is
considered whether any improvement
or dissemination of works is possible in these
quarters. From Rev. T. E. Church's letter
it appears there are seven clerics, four
of whom draw no more than \$100 each,
at rate of pay as can be seen by account in
-bills of work. One of the two Superintendents
at \$100 each might, on his own hands,
be dispensed with, now that a native pastor
-man has been appointed to one of the parishes
of the Comtee. It can be seen from the list
that from the subject of deliberation, before any
measure of work is suggested. It seems of the
duty of each member of the Synod to do
accomplish the Report. D. 2/2/10

A recorded in G.O.

[illegible]

The Rights of the People of the State of New York

