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MADRAS RECORD OFFICE

Government of Madras

JUDICIAL DEPARTMENT

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GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

19th March 1877, No. 707.

Presidency Magistrates' Act.

Read the following paper:—

No. 108. *From Major T. WELDON, Chief Magistrate of Police, to the Chief Secretary to Government, dated Madras, 13th March 1877, No. 42.*

The Presidency Magistrates' Act (IV of 1877), which comes into force on 1st April next, alters the style and title of the present Police Courts, and a corresponding change in the official seals and stamps becomes necessary. I have therefore the honor to request that His Grace the Governor in Council may be pleased to issue orders, under (M.) Act VI of 1865, prescribing the seal to be used, and which I suggest may be a circular seal, one-and-a-half ($1\frac{1}{2}$) inch in diameter, having the Royal Arms in the centre, with the words "*Presidency Magistrate—Madras,*" inscribed on the circumference. I enclose a sketch (marked A).

2. I further request sanction to have the necessary work done in the Public Works Workshop, or, if it cannot be done there, that I may be permitted to arrange with some private artificer for the same.

3. As the time allowed before the introduction of the Act is very short, I solicit early orders in the matter.

No. 109. ORDER THEREON, 19th March 1877, No. 707.

It is observed that the expressions used in the Title, Preamble, and Sections 7, 8, and 9 of Act IV of 1877 to designate the present Police Courts are "*Courts of Magistrates in the Presidency Town;*" "*Presidency Magistrates' Courts;*" and "*Courts of the Magistrates of the Town,*" respectively. The word "*Court*" is also invariably used in the Forms of Summons, Warrants and Recognizances (A, B, C and D) given in Schedule III annexed to the Act.

2. It seems, therefore, necessary that the inscription on the official seals to be used by these tribunals should correspond with some one of the expressions by which they are designated in the Act.

3. The Governor in Council resolves accordingly to direct, under the provisions of Madras Act VI of 1865, that the official seal to be used by every Presidency Magistrate's Court, under Act IV of 1877, shall be a circular seal one-and-a-half inch in diameter, having the Royal Arms in the centre, with the words "*Presidency Magistrate's Court—Division, Madras,*" inscribed on the circumference.

4. The seals will be made up, as expeditiously as possible, in the Public Works Workshop, and supplied to the Presidency Magistrates under instructions from Major Weldon, the Senior Magistrate, as to the number of seals required and the number of the "*Division*" to be inscribed thereon; and with this view, Major Weldon will place himself in communication with the Superintendent of the Workshop.

5. The Governor in Council takes this opportunity to remark that, in consequence of Act IV of 1877 not containing any general clause, such as is usually inserted in Consolidating Acts, to the effect that notifications and orders issued under repealed Acts shall be deemed to be notifications and orders issued under the corresponding provisions of the Consolidating Act—and also as Section 7 of the Act requires “the sanction of the Governor-General in Council”—instead of the “Governor in Council” as in the corresponding Section (No. 10) of the existing law (Madras Act VIII of 1867)—as a condition precedent to the constitution of divisions within the Presidency Town and the establishment of a Presidency Magistrate's Court for each of such division—it will be necessary to apply to the Government of India for sanction to the issue of a notification similar to that* issued under Section 10 of Madras Act VIII of 1867, in order to secure the continued existence of the present divisions and Courts on a legal footing. The requisite application will accordingly be submitted, and an answer solicited by return of post.

6. It is observed that power to alter the number and extent of such divisions is reserved, so that any changes which from time to time may be deemed appropriate can always be made.

(Signed) D. F. CARMICHAEL,
Offg. Chief Secretary.

No. 110. To the Secretary to the Government of India, Home Department, (Judicial), dated Fort St. George, 19th March 1877, No. 708.

With reference to the provisions of Section 7 of “The Presidency Magistrates' Act, 1877,” I have the honor, by direction of His Grace the Governor in Council, to request the sanction of His Excellency the Governor-General in Council to the issue, by this Government, of the subjoined notification constituting two divisions within the Town of Madras for the purposes of that Act, defining the extent thereof respectively, and establishing a Presidency Magistrate's Court for each division.

2. This notification is similar to that published in the *Fort St. George Gazette* of the 7th August 1868 under Section 10 of Madras Act VIII of 1867; and, as it is necessary that it should be issued on the 1st proximo, the date on which “The Presidency Magistrates' Act” comes into force, in order to legalize the continuance, from and after that date, of the existing Magisterial Divisions of the Town of Madras and of the Magistrates' Courts established therein, I am to request that the sanction now applied for may be communicated to this Government by return of post.

3. If changes are hereafter deemed desirable—which is not at present anticipated—the Act permits of a fresh notification, *toties quoties*.

(Signed) D. F. CARMICHAEL,
Offg. Chief Secretary.

NOTIFICATION.

In the exercise of the power conferred by Section 7 of “The Presidency Magistrates' Act, 1877,” and with the sanction of His Excellency the Governor-General in

Council, His Grace the Governor in Council is pleased to constitute the two under-mentioned divisions to be divisions within the Town of Madras for the purposes of the said Act, and to establish a Presidency Magistrate's Court for each of such divisions.

FIRST DIVISION.—The First Division shall comprise the Black Town of Madras, the villages of Royapooram, Washermanpettah and Fondiarpettah, and all other villages, hamlets and places within the local limits of the ordinary original criminal jurisdiction of the High Court of Judicature at Madras which are to the north of the Black Town Wall and the eastward of Cochrane's Canal including Cochrane's Canal, a small triangular piece of ground on the north-west side of Cochrane's Canal forming part of the village of Kordongoor, the Wallajah Bridge, and so much of the Cooum River as is within the boundaries hereinafter defined, and the villages of Veysurapaudy and Perambore, defined by the Ootary Nullah, from the Cochrane's Canal Basin Bridge up to the Ootary or Sawyer's Bridge, and from thence west by the Coonoor Road to the boundary of the said local limits; and such Division is bounded as follows:—

Boundaries.—On the north, from the sea to the extreme north-western boundary of the said local limits in the said village of Kordongoor, by the northern boundaries of the said local limits.

On the south, from the extreme western point of the said local limits on the Coonoor Road, by the said Coonoor Road to the Ootary Nullah, and thence by the said Ootary Nullah to the Cochrane's Canal Basin Bridge, and thence by Cochrane's Canal to the south-east corner of St. Mary's Burying-ground Bridge; thence to the north-east corner of the Wallajah Bridge by the southern bank of the Cooum River, and thence to the southern corner of the Iron Bar Bridge to the sea by the southern bank of the Cooum River.

On the east, by the sea.

On the west, from the extreme north-west point of the said local limits to the Coonoor Road, by the western boundary of the said local limits.

SECOND DIVISION.—The Second Division shall comprise the villages of Pursawaukum, Vepery, Kilpauk, Chetput, Nungambaukum, Peramettou, Chintadrepettah, Narsingapooram, Komalesveram Covil, Egmore and all other villages, hamlets and places within the said local limits which are to the westward of Cochrane's Canal and southward of Veysurapaudy and Perambore, and to the north and north-west of the Mount Road and north of the Nungumbaukum Road and the Kodumbaukum Road, and are within the northern and western boundaries of the said local limits, including the St. Mary's Burying-ground Bridge, the Kodumbaukum and Nungambaukum Roads and so much of the Cooum River as is within the boundaries hereinafter defined, and shall also comprise the villages of Triplicane, Mylapoor, Kistnampett, Royapettah, Vellala Tenampettah, Chenglevarayenpettah, Shanar Coopum, Quibble Island and Adyar, and all other villages, hamlets and places within the said local limits which are to the south of the Kodumbaukum and Nungumbaukum Roads, and to the south and south-east of the Mount Road, and are within the southern, eastern and western boundaries of the said local limits, including the Island, the Government House Bridge, the Mount Road and so much of the Cooum River and

Cochrane's Canal as are within the boundaries hereinafter defined; and such Division is bounded as follows:—

Boundaries.—On the north, from the extreme western point of the said local limits on the Coonoor Road by the said Coonoor Road to the Ootary Nullah, and thence by the said Ootary Nullah to the Cochrane's Canal Basin Bridge, and thence by Cochrane's Canal to the south-east corner of St. Mary's Burying-ground Bridge; thence to the north-east corner of the Wallajah Bridge by the southern bank of the Cooum River, and thence to the southern corner of the Iron Bar Bridge to the sea by the southern bank of the Cooum River.

On the south, by the southern boundary of the said local limits.

On the east, from the north-eastern corner of the Wallajah Bridge to the northern end of the Bar of the Cooum River, by the eastern bank of the Cooum River, and from the northern end of the Bar of the Cooum River to the southern boundary of the said local limits by the sea.

On the west, from the Coonoor Road on the extreme western point of the said local limits to the southern boundary of the said local limits, by the western boundary of the said local limits.

(By order of His Grace the Governor in Council.)

(Signed) D. F. CARMICHAEL,
Offg. Chief Secretary.

