



# THE INDIAN LAW REPORTS.

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## MADRAS SERIES,

CONTAINING

CASES DETERMINED BY THE HIGH COURT AT MADRAS  
AND BY THE JUDICIAL COMMITTEE OF THE PRIVY COUNCIL  
ON APPEAL FROM THAT COURT.

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REPORTED BY

Privy Council	...	...	...	C. BOULNOIS, <i>Middle Temple.</i>
High Court	...	...	...	K. BROWN, <i>Inner Temple.</i>

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## MEMORANDUM.

### OPENING OF THE NEW LAW COURTS AT MADRAS.

ON Tuesday the 12th of July 1892, the new Law Courts at Madras were formally opened by His Excellency the Right Honorable Beilby Baron Wenlock, G.C.I.E., Governor of Madras, in the presence of a great and distinguished assembly, including many of the advocates, vakils and attorneys of the High Court.

His Excellency the Governor arrived at the main entrance of the building under a salute of 17 guns, and was there received by the Honorable Sir Arthur J. H. Collins, Kt., Chief Justice of Madras, the Honorable Mr. Justice Muttusami Ayyar, K.C.I.E., the Honorable Mr. Justice Parker, the Honorable Mr. Justice Wilkinson and the Honorable Mr. Justice Best, Puisne Judges of the High Court, the Honorable Mr. J. H. Spring-Branson, Advocate-General, Mr. P. D. Shaw, Chief Judge of the Small Cause Court, Dewan Bahadur P. Srinivasa Rau and Mr. N. Subrahmanyam, Judges of the Small Cause Court, Colonel J. Pennycuik, R.E., Secretary to Government in the Public Works Department, Mr. E. Barclay, Government Solicitor, and Mr. H. Irwin, C.I.E., Consulting Architect to Government.

A procession was then formed in the following order:—

	Assistant Engineer.	
	Consulting Architect.	
Chairman, Chamber of Commerce.	Chairman, Trades' Association.	
President, Madras Municipality.	Chairman, Harbour Trust Board.	
Government Pleader.	Crown Prosecutor.	
	Government Solicitor.	
Judge, Small Cause Court.	Judge, Small Cause Court.	
Clerk of the Crown.	Deputy Registrar.	
	Chief Judge, Small Cause Court.	
Registrar, Appellate Side.	Registrar, Original Side.	
	Advocate-General.	
Puisne Judge.	Puisne Judge.	

Puisne Judge.

Puisne Judge.

The Sheriff.

The Members of the Legislative Council.

The Chief Secretary.

The Secretary to Government,  
Public Works Department,  
with key.

Senior Member of Council.

Junior Member of Council.

The Bishop.

Bishop's Chaplain.

The Chief Justice.

His Excellency the Commander-in-Chief.

Aide-de-Camp.

Private Secretary.

Military Secretary.

His Excellency the Governor.

Aide-de-Camp.

The procession having passed through the other Courts, arrived at one of the principal Courts where a dais had been prepared. The National Anthem was then played, and His Excellency the Governor of Madras, His Excellency Lieutenant-General the Honorable Sir J. C. Dormer, K.C.B., Commander-in-Chief of Madras, the Honorable the Chief Justice of Madras, the Right Reverend F. Gell, D.D., Lord Bishop of Madras, the Honorable Sir H. E. Stokes, K.C.S.I., and the Honorable Mr. J. H. Garstin, C.S.I., Members of Council, took their seats on the dais.

The Secretary to Government in the Public Works Department then offered the key of the building to His Excellency the Governor, who, having accepted the key, delivered it to the keeping of the Honorable the Chief Justice.

His Excellency the Governor said :—

MY LORDS, LADIES AND GENTLEMEN,—Before proceeding with the further part of this ceremony, I think it only befitting me, on this occasion, to say a few words on the reasons which have called us here together to celebrate this ceremony, and to give you a short statement of the processes which have been undergone by this building, since it was first started in the year 1888. The original plans and estimates of this building were prepared by Mr. J. W. Brassington, late Consulting Architect to Government.

The original estimates amounted to Rs. 9,45,000; subsequently additions were required, and the estimate for the entire work, including an additional Court, increased accommodation for the press, chambers for the barristers, attorneys and vakils, with out-buildings, amounts to Rs. 12,98,163. The designs have been revised, and the drawings of the details have been prepared by the present Consulting Architect to Government. The work was commenced in October 1888, and finished up to basement level by the end of March 1889. The work of construction stopped for a short time, during the rains, to allow the foundations to settle. The Original and Appellate Sides occupy the east side of the building. The western front contains the Courts of Small Causes. Extensions have been made westward for an additional Court of Small Causes and chambers for the Vakils. The main tower was originally intended to be 142 feet high, from the ground to the top. It was adapted to carry a new third order dioptric light, and the tower, when completed, will be about 175 feet high, from the ground to the top of the terminal, or about 55 feet higher than the present light-house. The style of the building is Hindu-Saracenic, freely treated according to local requirements. It is worthy of note that almost all the material used in the construction of the building, with the exception of the heavy steel girders to carry the floor and roof, and some ornamental tiling, was manufactured locally. A large number of artisans have been kept employed, most of the decorative work being executed by men trained on the work itself, and by a few men who were originally taught the art at the School of Arts. The Government brick-fields have supplied all the bricks and terra-cotta work, and a large quantity of the flooring tiles. The work has been carried out by Mr. Irwin, Consulting Architect to Government, and great credit is due to him for the manner in which the work has been done. Great credit is also due for the excellent work done by Mr. Stephens, Honorary Assistant Engineer, for the manner in which he has carried out the greater portion of the details. And now, I think, having gone round and inspected the building, the foundations of which were laid less than four years ago, that we may really and truly say that this Presidency has reason to be proud of the habitation in which

the administration of justice will be carried on. For beauty of design and for perfection of execution, I think there is nothing, or very little to be desired. We who have watched it for the last few months, gradually raising itself higher and higher, till it has, at last, reached the period of completion that it has reached to-day, cannot but view with satisfaction the great work which has been growing up under our eyes. Therefore, now that it is completed, and we are here to celebrate the opening of it, I think we may say it has been, indeed, an excellent and a good work. And now, my Lord Chief Justice, I have pleasure in handing you the key as a token that the building has been entrusted to your hands by the Government, in full confidence that the administration of justice will be carried on with the ability and integrity that has always marked the Madras High Court. To you, my Lord, and to the other gentlemen who hold with you the high position of Judges of the High Court, and to those gentlemen who occupy themselves in the honorable and learned profession of the law, in all your hands the administration of justice may be safely left, and we may look forward, for many years to come, with the full knowledge and full satisfaction that the best years of your lives will be devoted to carrying on one of the noblest of works, the uninterrupted administration of justice.

The Honorable the Chief Justice accepted the key and addressed His Excellency the Governor as follows :—

MAY IT PLEASE YOUR EXCELLENCY,—On behalf of the Judges of the High Court of Judicature, I accept the charge that Your Excellency, as representing the Queen-Empress, has been pleased to entrust to me. I do assure Your Excellency that Her Majesty's Judges will, to the utmost of their ability, endeavour to do their duty in the fear of God and without fear of man. My Lord, in India the Judges of the High Court have many and difficult duties to perform. In the great majority of cases, the decision of the High Court is final, and there is no tribunal in this country outside the High Court that can reverse a conviction or set aside a decree of the High Court. The Judges of the High Court are thus entrusted with great powers, and we humbly hope that

we perform our duty to the satisfaction of those who advise Her Majesty, with fidelity to the Crown, and with due regard to the interests of justice. My Lord, so long as this High Court is an independent Court, with Judges who fear no man, and who administer the law, according to the rules of law, equity and good conscience, with the jurisdiction it has exercised for so many years intact, I believe it will continue to have and to deserve the confidence of the public. My Lord, the Judges of the High Court are assisted by a large number of District and Sessions Judges, Subordinate Judges, District Munsifs and Magistrates, consisting of men of ability, who generally afford the High Court most valuable assistance by their judgments in the Subordinate Courts. My Lord, we also have a numerous Bar, English barristers, advocates and vakils, who assist the High Court by their arguments, and conduct their cases on behalf of their clients with zeal and with ability. In conclusion, I fervently hope that long after you and I, Your Excellency, have passed away to that undiscovered country, of which we know so little, there may always continue to be found, men of ability and courage, who will administer the law in these Courts without distinction of class, creed or race. My Lord, in the name of the Judges of the High Court, I have to thank Your Excellency for presiding here to-day.

The Chaplain to the Bishop of Madras then read the following passages from 2 Chron., chap. xix :—

“ And Jehoshaphat the king of Judah set judges in the land throughout all the fenced cities of Judah, city by city.

“ And said to the judges, Take heed what ye do; for ye judge not for man, but for the LORD, who is with you in the judgment.

“ Wherefore now let the fear of the LORD be upon you; take heed and do it; for there is no iniquity with the LORD our God, nor respect of persons, nor taking of gifts.

“ Moreover in Jerusalem did Jehoshaphat set of the Levites, and of the priests, and of the chief of the fathers of Israel, for the judgment of the LORD, and for controversies. . . .

“ And he charged them, saying, Thus shall ye do in the fear of the LORD, faithfully, and with a perfect heart.”

The Bishop of Madras offered up the following prayers :—

*Let us pray.*

ALMIGHTY GOD, our heavenly Father, who rulest over all the kingdoms of the world ; and who, by Thy divine providence, hast appointed our most gracious Sovereign, Queen VICTORIA, Empress of this land, to be (under Thee) the fountain of all power and authority and supreme over all causes within her dominions ; we humbly beseech Thee to guide her continually with Thy heavenly wisdom, and to rule her heart in Thy fear and love. May peace and righteousness flourish in all her realm. May she ever retain the loyal affection of her subjects. O LORD, prolong her years, and, as life declines, make her glad with the joy of Thy countenance ; and finally bring her to Thine everlasting kingdom through Jesus Christ our Saviour. *Amen.*

Blessed be Thou, O LORD our God, who hast enabled Thy servants to build this house for the administration of justice. Thine, O LORD, is the greatness, and the power, and the glory : for all that is in the heaven and the earth is Thine. All the store of skill, and of strength, and of wealth, wherewith this house has been builded, cometh of Thine hand, and is all Thine own.

We pray Thee that it may never be defiled by corruption, lying, or the triumph of injustice ; but always be used for the purposes only of truth and equity : so that discords and disputes may be composed, evil-doers be punished, and the innocent and oppressed be set free.

Grant, we beseech Thee, to all who shall ever sit in the seats of judgment herein, the spirit of wisdom and understanding. May they have grace to remember that they judge not for man, but for the LORD. May every falsehood be detected, and truth be ever brought to light ; for the honor of Thy name and the comfort of all Thy servants.

And, O LORD GOD, we offer the same prayers for all of every class who administer justice throughout this presidency. And we further beseech Thee to pour upon all the dwellers in this land, of whatsoever race, the spirit of righteousness, truthfulness, brotherly kindness towards all men ; that dissensions, dishonesty,



malice and crime may cease. Open the eyes of all that they may see Thy holiness and Thy glory, and seek to be made partakers of them. So may they and we be received at last into Thy eternal and heavenly kingdom; through Jesus Christ our LORD. *Amen.*

The Chief Secretary to Government, by command of His Excellency the Governor, then declared the building open.

The event was announced by a flourish of trumpets.

The Advocate-General, on behalf of the Bar, moved the Chief Justice that the proceedings be entered on the records of the High Court.

The Chief Justice ordered that the proceedings be entered on the records of the High Court.

The procession, having been reformed in the same order, returned to the entrance, the National Anthem being again played.

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