

INDEX

Acts

- Regulating Act of 1773, 7, 65
 - Amending Act of 1781, 8, 10, 11, 65
 - of 1797 (37 Geo. III), 11, 12
 - of 1800 (40 Geo. III), 12
 - of 1807 (47 Geo. III), 12
 - of 1815 (55 Geo. III), 76
 - of 1828 (9 Geo. IV), 78
 - of 1883, 22, 140
 - X of 1835, 26
 - XI of 1835, 40
 - XXI of Geo. III, 84
 - amendments to, 23, 151
 - Black Act (XI of 1836), 47 ff., 73, 168 ff., 183, 228, 229
 - authentication and promulgation of, 26, 158
 - titles and preambles to, 27, 145 ff.
 - translation of, into Indian languages, 30
- Adam, John, 41
- Amending Act of 1781, 8, 10, 11, 65
- Amendments to draft Acts, 23, 151
- Anderson, E., 252, 255
- Appeals on matters of fact and law, 121, 216, 217, 244 ff.
- Approvers, 129, 247
- Auckland, Lord, 54, 73, 77, 88, 111
- and proposed judicial function of Superintendent of Police, 113
 - on holding of lands by aliens, 70
 - on trial by jury, 74
- Bank of Bengal, 281, 282
- Bengal Code (1793), 12
- Bengal Government's method of promulgating Acts, 31
- Bentham, Jeremy, 27, 74, 129, 140, 203, 214
- 'codification proposal' of, 33
 - on institution fees, 115
 - on 'single-seated' justice, 123
 - on titles to Acts, 28
- Bentinck, Lord William, 29, 35, 73, 83, 99, 118-19
- liberal press policy of, 41-4
 - on language of courts, 130
- Bethune, Drinkwater, 58
- Black Act (Act XI of 1836), 47 ff., 73, 168 ff., 183, 228, 229
- Bombay Government on, 56n.
- Board of Customs. Salt and Opium, 254

- Bombay Government and method of promulgating Acts, 31
- on Black Act, 56 n.
 - on concise style of legislation, 29
 - on repair to Kaira walls, 38, 163

Bonaparte, Napoleon, 254

British Trade Association of Calcutta, 74, 78

Burke, E., 132, 139, 289

Capital sentence, commutation of, 66

Cameron, C. H., 241, 252, 255

Casement, Col. W., 255

Charcery Commissioners, 72

Charter, Act of 1793, 76

- of 1813, 47, 50, 133, 173, 175, 184

- of 1833, 12, 14, 55, 63, 65, 132

Charter, Elizabeth's of 1601, 3

- of 1726, 4

- of Geo. I, 15

- of Geo. II (1753), 4, 10, 12

Clive, Lord, 10

Code of Bengal (1793), 12

Code of Criminal Procedure (1861), 60, 240

Code of Civil Procedure, 204, 239, 240

Code of Evidence, 247

Code, Penal, 59, 66, 137, 239 ff.

Convicts, evidence of, 127-9, 246

Coorg, Commissioner of, 61

Cornwallis, Lord, 27, 30

- judicial organization of, 99, 103

Council, Standing Orders of, 22, 302

Court of Chancery, 72, 200

Court of Directors, 4, 7, 9, 16, 22, 150, 153, 154, 157, 229, 255, 290

Court of Equity, 71, 199, 241

Court of Quarter Sessions, 73, 78

Courts, appellate, 121, 227

- corruption in Company's, 50, 106, 173, 190

- language of, 130, 219

- of Requests, 66, 198, 254

- reform of mofussil, 203 ff.

- value as deciding jurisdiction of, 98 ff., 100 ff., 205

Craig, Capt., 91

Currency Acts, 35

Dalhousie, Lord, 58

Darbhanga, Maharaja of, 64

INDEX

- East India Company, 3, 4, 10, 12, 65,
70, 82, 97, 128, 195, 246
- Eden, Sir Ashley, 61
- Elizabeth's Charter (1601), 3
- Ellenborough, Lord, 82
- Elphinstone, Mountstuart, 12, 45
- Forma pauperis*, suits in, 120, 224
- Fort St George, method of promulgating Acts in, 31
- Francis, Sir Philip, 25, 153
- Freedom of the press, 40 ff., 165 ff.
- Fullerton, 285
- Gazette*. Government, 26 ff., 158 ff.
- Goory, fortress of, 90
- Grant, Sir J. P., 66, 68, 201
- Grant, Sir John, 81, 91
- Grant, Sir Robert, 235
- Grant, Charles, 16
- Gupta, Behari Lal, 60
- Hastings, Warren, 6, 25, 98, 153
- Hill, David, 80
- Hindu law, 5, 6
- Ilbert Bill (1884), 58 ff.
- Ilbert, Sir Courtenay, 62, 64
- Impey, Sir Elijah, 98
- regulations of, for Adalat Courts, 11
- Indian Legislative Council, creation and function of, 14-8
- Indians, addiction to litigation of, 119
- political apathy of, 35, 140
- representation of, against extending Supreme Court's jurisdiction, 38
- Indigo planters, 176, 272 ff.
- Institution fees, 115 ff., 220
- Kaira, repairs to walls of, 38, 163
- King's printer, 27, 161
- Koran, laws of the, 6, 15
- Language of courts, 130, 219
- Larneletta, 71
- Law Commission, 16, 17, 18, 66, 78, 137, 155, 170, 198, 201, 203, 219, 226, 239, 240, 252, 255-8, 278
- Law Commissioners, 20, 58, 59, 73
- Law Member, 20, 132
- functions of, 134, 156
- Le Mesurier, 85
- Livingston, D. E., 254, 256, 263
- Macaulay, Lord, on a free press, 42, 165
- on admission of evidence of convicts, 127-8, 246
- Macaulay, Lord, on appeals, 121, 216, 244
- on Bentham, 140, 214
- on control of press, 40, 42, 165
- on extension of jurisdiction of Indian judges, 108, 231
- on functions proposed for munsiffs, 104, 208
- on institution fees, 115, 220 ff.
- on language of courts, 130, 219
- on law of evidence, 124, 214
- on Lord Auckland's proposed judicial function of Police Superintendent, 114, 248 ff.
- on pleading, 124, 211, 240 ff.
- on preamble and titles of Acts, 27, 145 ff.
- on public opinion, 37, 163, 179
- on reasons explaining legislation, 34, 148
- on reform of Supreme Court, 66 ff., 198 ff.
- on salary of judges, 112, 233
- on suits *in forma pauperis*, 120, 224, 226
- on Supreme Court, 57, 193
- on value of suits deciding jurisdiction of courts, 100 ff., 204 ff., 26
- on walls of Kaira, 38, 163
- project of, for reform of mofussil courts, 98 ff., 203 ff.
- rules of, for legislative proceedings, 22 ff., 150 ff.
- Macleod, J. M., 252, 255
- Macnaughten, W. H., 255
- Magistrates, honorary, 78
- Malcolm, Sir John, 81, 96
- fight of, with Supreme Court, 81
- Malkin, Sir Benjamin, 65, 68, 200, 201
- Manu, laws of, 5
- Martin, General, 70
- Metcalfe, Lord, 41
- , faith of, in free press, 43
- on language of courts, 130
- Mil, John Stuart, 55, 13, 195
- Millett, F., 107, 229, 239, 252, 255
- , Regulations of, 101, 124, 203 ff., 210, 244
- Money, W., 233
- Monetary valuation of suits, 101, 206, 226
- Morison, Col., 46, 118, 223
- Moru, Raghunath, 81
- Munro, Sir Thomas, 87-8

INDEX

- Munro, on free press, 44-6
 — on necessity of limiting the powers of Supreme Court, 93
- Mysore, 118, 223
- Norton, George, 92
- Palanji Dhanji, 85
- Peacock, Sir Barnes, 59
- Pearson, John, 69
- Penal Code, 59, 66, 137, 239 ff.
- Penal laws of Bengal, Bombay and Madras, 260 ff.
- Pitt's Amending Act, 14, 84
- Pleading, mode of, 124, 211, 240
- Plurality of judges, 235
- Powers of Governor-General in Council, 287
- Preamble to Acts, 27, 145 ff.
- Privilege of Chiefs, 236 ff.
- Press, control of, in Bengal, Bombay and Fort St George, 40, 165
 — laws (1823), 41
 —, Macaulay on control of, 40, 42, 165-7
 —, Prinsep on freedom of, 41, 45
 —, Munro on freedom of, 44
 —, Metcalfe on freedom of, 43
- Press Regulation, 24, 151
- Prinsep, H. T., 25, 134, 145, 152-61, 285
 — on free press, 41, 45
 — on monetary valuation of courts, 103
 —, opposition of, to dropping preamble to Acts, 27
 — opposition of, to Macaulay's modes of authentication, 26
 — opposition of, to Macaulay's judicial reorganization, 105
 — opposition of, to peripatetic judges, 126
- Prison of Alipore, 250, 280
- Public opinion, 163, 179
- Queen's Proclamation of 1858, 63
- Raghoba and Bar Bhai, 83
- Recorder's Court, 12
- 'Register's' court, 100
- Registration of ships, 286
- Regulating Act, 7, 65
- Regulations of Millett, *see* Millett
- Regulations of Warren Hastings (1780), 6
- Regulation XXXVIII of 1795, 69
 — XXXVIII of 1795, 220
- Regulation XIV of 1816, 280
 — III of 1818, 95
 — II of 1819, 90, 91, 95
 — IV of 1827, 170, 176, 184, 185
 — V of 1831, 99, 227
 — VII of 1832, 185
 — IV of 1833, 281
- Regulations for Calcutta Police, 26
- Ripon, Lord, 61
- Robertson, T. C., 102
- Ross, A., 33, 74, 110, 114, 130, 148, 205, 210, 226, 228, 248-50
 — on trial by jury, 74, 75
 — on language of court, 130
- Ross's scheme of judicial organization, 110
- Ryan, Sir Edward, 66
- Sadar courts, compared with Supreme Court, 172 ff., 189
- Salary of judges, 111-13, 233-4
 — of munsiffs, 251
- Shakespear, Henry, 53, 114, 128, 228, 229, 233, 236, 248, 250, 251, 280
 — on allowing munsiffs to try Europeans, 109
 — on appointment of honorary magistrates, 78
 — on Black Act, 190
 — on corruption, 106, 230
 — on preambles to Acts, 29
- 'Single-seated justice', 122, 216
- Smith, Maj.-Gen. Sir Lionel, 80
- Sorabji Framji & Co., 85
- Spectator*, 139
- Standing Orders of Council, 22, 302
- Stephen, Sir James, 60
- Stephen, Sir Leslie, on Macaulay's Penal Code, 140
- Supreme Court, appeal to, 169, 272
 — as Court of Equity and common law, 199
 — at Bombay, 79 ff.
 — at Calcutta, 65 ff., 198 ff.
 — at Madras, 79, 86 ff.
 —, compared with Sadar Dewani Adalat, 172 ff., 189
 —, expensiveness of, 193
 —, extending jurisdiction of, 75, 175
 —, functions originally assigned to, 7-9
 —, introduction of viva voce examination in, 72
 —, Macaulay's views on, 57
 —, no power to examine legality of provincial regulations, 93
 —, appeal of appeal to, 47
 —, right of appeal to, 184

INDEX

- | | |
|---|--|
| Supreme Court, struggle of, with
Bombay Government, 81 | Valangapuli Tevan, 88 ff. |
| Sutherland, J., 84, 235 | Vatandars and mirasdars of Madras
privileges of, 87 |
| Suttee Regulation, 29 | Viva voce examination in Supreme
Court, 72 |
| Thuggee, 128, 246, 247 | Wheel tax (1827), 85 |
| Trial by jury, 73, 74 | Yarde, Lieut., 91 |
| Titles to Acts, 27 | |
| Utilitarians, 140 | |

S.

