

REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE

IN THE

PRESIDENCY OF BOMBAY

IN 1878.

Bombay:

PRINTED AT THE GOVERNMENT CENTRAL PRESS.

1880.

I.—GENERAL RESULTS.

The Civil tribunals are, in Bombay, the High Court and Small Cause Court, and in the Mofussil, 25 Courts of District Joint and Assistant Judges, 102 Courts of Subordinate Judges, 7 Small Cause Courts, 17 Courts of Subordinate and First Class Magistrates with Civil jurisdiction, and 5 unpaid local Courts of Jáhirdárs.

During the year under review, 147,565 suits in all were instituted, being an increase of 1,673 as compared with 1877, but a decrease of 33,709 from 1876.

3,706 appeals were instituted, 618 less than in 1877.

There were 206,703 applications for the execution of decrees, 19,310 less than in 1877, and nearly 76,000 less than in 1876.

147,181 suits were disposed of, about 6,000 less than in 1877, 119,410 by the Subordinate Judges, 16,941 by the Small Cause Courts, 2,163 by the High Court, 1,642 by Cantonment Magistrates, 402 by District and Assistant Judges, 138 by Jáhirdárs, and 6,467 by the Revenue Courts.

The appeals disposed of were 5,282—4,547 by District and Assistant Judges, 606 by the High Court, 30 by the Sadar Court in Sind, and 99 by the Revenue Courts.

There were 75,297 decrees wholly or partly executed, being 9,224 less than in 1877. And there were 71,218 decrees unexecuted or 13,299 more than in that year.

The working of the Small Cause Court in Bombay is not included in this report, as it is shown separately.

The most remarkable feature of the year was the continued decrease in the number of applications for execution of decrees, and the great increase in the number of unexecuted decrees.

As the whole of the civil work turns on the number of suits instituted, the following figures will serve to explain generally the state of litigation during the last 5 years :—

	1874.	1875.	1876.	1877.	1878.
Total number of suits instituted in all Courts	181,258	183,273	181,274	145,892	147,565

It will thus be observed that there was a sudden and abrupt fall in litigation in 1877; but that during the year under review there was a slight upward tendency. The fall in 1877 was due to the impoverished state of the country, consequent on bad seasons, and the general opinion of the Judges is that as the state of the country improved during the year, so did the litigation increase, but that the tendency of the new Code of Civil Procedure is to check the execution of decrees.

The causes of the increase and decrease of litigation are complex, and until an average is obtained in each district, by a consideration of the working during some years, it is difficult to decide whether that increase or decrease is exceptional or not. Some of the Judges ascribe even trifling decreases to bad seasons, and increases to good ones. And in some cases where there is more than one revenue district in the judicial district, and the results were not the same in each, one explanation is given as to the total increase or decrease in the two districts combined.

On an examination of the work of the Subordinate Courts—the great mass of original civil work being done by them—it will be found that, excluding the Thar and Párkar district, where the work is very small, in 13 districts there was an increase in the number of suits instituted and in 8 a decrease. Similarly,

the number of suits disposed of was more in 13 districts than in the year. But notwithstanding this increase of suits received and disposed the majority of districts, in 14 there were fewer applications received for execution of decrees, and in 15 there was a rise in the number of unexecuted decrees. The number of applications for execution of decrees has always been unusually large in this Presidency compared with the number of suits disposed of. It has no doubt been the practice for judgment-creditors often to apply for execution and then to drop the proceeding on coming to some temporary understanding with their judgment-debtors, and subsequently to make a fresh application. The provisions of the new Code of Civil Procedure compel judgment-holders to exercise more diligence in procuring complete satisfaction of the decree on the first application, and hence a second and subsequent applications on the same decree have become fewer. As far as can be ascertained the great rise in the number of unexecuted decrees was also due, at any rate to some extent, to the provisions of the new Code. Proceedings in execution of decrees under the new rules take a longer time, and hence a smaller number of decrees is executed wholly or partly during the year. It is also said that a decree has to some extent depreciated in value through the prohibition as to the attachment of certain property and the reduction in the period during which a judgment-debtor can be imprisoned. And there is said to be a feeling abroad that the new Code is unduly severe on creditors. These and other causes it is supposed have conduced in making judgment-holders less eager to enforce their rights. That the neglect to enforce decrees is not due to any increase in the general poverty of the country, is abundantly clear. A longer experience is required before a definite opinion can be formed on the subject.

In some of the districts there was a most marked inactivity in litigation. In Brouch the suits decreased to nearly one-half the number in the previous year. There were about 2,900 fewer suits instituted, and 3,200 less disposed of; and there were about 7,700 applications for execution of decrees less, and the decrees wholly or partly executed decreased by about 2,300. The cause assigned is the bad season of 1878. There was a similar depression, though to a less extent, in Surat, Kaira and Ahmedabad, although in the last-named district the number of suits instituted was actually larger. There was, however, a much greater activity during the year in Khándesh, Násik, Ahmednagar, Sholapur and Kaláji. In those there was a corresponding increase in the number of suits disposed of, and in some there were more applications filed for execution of decrees; and yet it is striking that in all of them the number of unexecuted decrees rose, and in some of them out of proportion altogether to the number of suits disposed of.

The general results of the year contrasted with 1877, and with the lower Provinces of Bengal in 1877, may be summarised thus:—

	Bombay.		Bengal.
	1877.	1878.	1877.
Total number of suits instituted in all Courts ...	145,892	147,565	357,725
Total number of suits disposed of ...	153,179	147,181	363,129
Suits decreed <i>ex-parte</i> ...	68,600	67,810	117,924
Contested suits disposed of ...	30,623	28,387	96,113
Appeals instituted ...	4,324	3,706	23,452
Applications for execution of decrees ...	226,213	206,703	256,453
Decrees completely executed ...	25,115	27,786	73,324
Decrees partly executed ...	59,406	47,511	182,410
Decrees unexecuted ...	57,919	71,218	57,775
Persons imprisoned ...	3,653	3,612	3,936
Total value of suits in Civil Court ...	15,020,149	14,225,889	46,922,693
Do. do. Revenue Courts ...	402,351	441,596	354,507
Cost of Courts, except those in Presidency-towns.	.....	1,622,836	2,704,830
Stamps and Court fees in Civil Courts ...	.....	1,634,037	4,481,586

The cost of Sessions Courts appears to be excluded in Bengal, but is included in Bombay. The population in Bengal (in the mofussil) is given at 58,767,250, and in Bombay at 15,491,381. On these numbers there is one suit instituted to every 164 persons in Bengal and to every 110 persons in Bombay. The cost on each suit disposed of in all, except the Presidency-town Courts, was Rs. 7 in Bengal and Rs. 10 in Bombay; but, as stated above, the latter also includes the cost of the Sessions Courts.

II.—ORIGINAL.

High Court, Bombay.—During the year 666 original suits were instituted, and 21 were restored to the Board under the general jurisdiction. And there were 565 suits in the insolvent jurisdiction. The suits in the other jurisdictions were, as usual, few; 7 in the Testamentary, 1 in the Matrimonial, and 4 in the Parsi Matrimonial jurisdiction.

The following is the number instituted during the last 5 years, and the number in the High Court, Bengal, in 1877, is added for the purpose of comparison:—

	1874.	1875.	1876.	1877.	1878.	High Court Bengal, 1877.
General jurisdiction ...	697	728	734	820	697	724
Insolvency ...	580	633	622	475	565	76

The number of regular suits seems to have been exceptionally large in 1877, and rather below the average last year. 1,264 suits in all were instituted and 1,962 remained from 1877, 799 Regular, 1,145 Insolvency, 7 Admiralty, 9 Testamentary, and 2 Matrimonial. Including 1 suit received by transfer in the extraordinary jurisdiction, there were thus 3,227 suits for disposal, and during the year 2,163 were disposed of and 1,064 remained pending, 870 over 4 months and 116 over 2 months.

These suits were disposed of as follows: 242 were dismissed for default (most of them being really compromised out of Court without any official intimation being given), 16 were withdrawn with leave, 76 compromised, and 13 dismissed by a Judge's order in chambers by consent; 22 were decreed on confession; 419 were decreed *ex-parte* and 1,166 dismissed *ex-parte*, and 172 were contested. The large number shown as dismissed *ex-parte* was owing to the Insolvency cases. Of these, out of a total of 1,531 disposed of, no less than 1,159, or 75 per cent. were dismissed *ex-parte*, and only 40 were contested. Of the 617 regular suits disposed of, 120, or 19 per cent were contested, 80 being decided in favour of the plaintiff and 40 for defendant. The percentage (66) of decisions for plaintiff is less than in the Lower Courts; in 1877 it was only 62. Of the 7 admiralty suits which remained from 1877, 5 were decided during the year, all being contested, and decided in favour of the defendant. As to the 4 Parsi Matrimonial suits instituted, 2 were decided for plaintiff and 1 for defendant. The average duration of suits in the general jurisdiction was 213 for contested and 135 for uncontested cases.

Sadar Court, Sind.—Two original suits were instituted, 1 for dissolution of marriage and 1 for judicial separation, under the Indian Divorce Act. These were decided during the year in favour of the plaintiff. They were the first suits in the province since Act IV. of 1869 was passed.

District and Subordinate Courts.—The number of suits instituted in the District Courts was 239, 1 less than the last year, and in the Subordinate Courts 120,074 or 676 more. The return of suits instituted in the Subordinate Courts

exercising Small Cause Court jurisdiction is not complete, as in some districts this class of suits has not been distinguished. The returns show 12,755 such suits, more than double the number in 1877. The increase is owing to the Subordinate Courts in the Ahmednagar District being now all invested with summary jurisdiction. In that district during the year there were 5,150 Small Cause Court suits as against 381 during the previous year. In Khándesh there was an increase of about 1,400 in such suits, and of about 880 in Sholápur. In Sátára the numbers remained about the same. The suits instituted in the District and Subordinate Courts during the last 5 years were :—

	1874.	1875.	1876.	1877.	1878.
District Courts ...	424	323	345	240	239
Subordinate Courts ...	147,244	153,814	151,112	119,398	120,074

1874 was an exceptional year; since 1875 there has been a continued decrease in the number of suits in the Subordinate Courts, and in 1877, as will be seen above, there was an abrupt fall in litigation, which was slightly checked during the year. There was an increase of suits in the following districts :—Ahmedabad 311; Khándesh 3,890; Násik 1,167; Ahmednagar 2,161; Sholápur 1,132; Belgaum 404; Kaládgi 922; Dhárwár 679; and Shikárpur 2,149: and decrease Kaira 700; Surat 824; Broach 2,904; Panch Mahals 441; Thána 129; Kolába 292; Poona 289; Sátára 258; Ratnágiri 388; Kánara 379; Kurrachee 334; Hyderabad 157; Thar and Párkar 244.

The following table shows the number of suits instituted, disposed of, and contested in the Subordinate Courts of each district, as compared with 1877 :—

District.	Suits Instituted.		Total Disposed of.		Contested Suits.	
	1877.	1878.	1877.	1878.	1877.	1878.
Ahmedabad ...	4,976	5,287	5,838	5,168	644	681
Kaira ...	7,963	7,263	10,547	6,894	1,893	903
Surat ...	3,763	2,939	4,109	3,372	814	706
Broach ...	6,419	3,515	7,031	3,864	1,032	548
Panch Mahals ...	1,308	867	1,353	742	299	149
Khándesh ...	14,266	18,156	14,727	17,638	2,225	2,427
Thána ...	5,881	5,753	6,566	5,457	1,686	1,551
Kolába ...	3,606	3,394	3,596	3,344	1,103	1,234
Násik ...	8,800	9,967	9,224	9,200	1,972	1,700
Ahmednagar ...	5,621	7,782	5,669	7,338	906	1,158
Poona ...	7,296	7,007	6,990	7,279	1,660	1,410
Sholápur ...	4,046	5,178	3,498	5,210	825	1,055
Sátára ...	8,102	7,844	9,045	8,269	1,418	1,514
Belgaum ...	3,434	3,898	3,580	3,840	888	710
Kaládgi ...	1,791	2,713	1,664	2,691	308	355
Dhárwár ...	3,587	4,266	3,456	4,199	657	632
Ratnágiri ...	6,839	6,451	7,326	7,327	1,839	2,190
Kánara ...	2,615	2,266	2,585	2,271	862	689
Kurrachee ...	2,538	2,204	2,576	2,182	351	396
Hyderabad ...	7,218	7,061	7,090	6,975	1,288	1,211
Shikárpur ...	8,256	6,107	8,505	5,944	1,827	1,187
Thar and Párkar ...	401	157	391	186	46	31
Regular Suits ...	113,729	107,319	120,731	107,290	23,437	21,143
Small Cause Court class ...	5,669	12,755	5,196	12,120	702	1,289
Total ..	119,398	120,074	125,927	119,410	24,139	22,437

The number of suits instituted in each district, in proportion to the population, was:—

	One Suit to every	Persons.		One Suit to every	Persons.
Ahmedabad	87	Sholapur ...	...	153
Kaira	107	Satara ...	...	134
Surat	99	Belgaum ...	...	230
Bronch	74	Kaladgi ...	...	300
Panch Mahals	277	Dharwar ...	...	231
Thana	147	Ratnagiri ...	...	157
Kolaba	103	Kanara ...	...	175
Nasik	73	Kurrachee ...	...	73
Khândesh	56	Hyderabad ...	...	102
Ahmednagar	93	Shikarpur ...	...	128
Poona	63	Thar and Parkar ...	...	1,039

Of the suits in the District Courts, 92 were dismissed, &c., 33 were tried *ex-parte*, and 219 were contested, 78 being decided in favor of the plaintiff and 51 for defendant. As to the suits in the Subordinate Courts 33,617, or 23 per cent. were dismissed, compromised, &c., 61,423 or more than one-half were decided *ex-parte*, and only 22,437, or 18 per cent. were contested. Of the contested suits no less than 84 per cent. were decided for the plaintiff in whole or part. This percentage was in the general jurisdiction of the High Court 66, and in the District Courts 60, but these results are obtained from comparatively a very small number of cases. In the Small Cause Courts the percentage decided in favor of plaintiff was the same as in the Subordinate Courts. The number of suits pending at the end of the year was 32,199, an increase of about 1,300 over last year. The total number of suits disposed of was about 6,500 less this year.

Ex-parte Decrees.—In former years it has been noticed that the number of *ex-parte* decrees was very large, and that complaints had been made, that this state of things was not creditable to the courts. There was reason to fear, it was said, that summonses were not properly served on defendants, and that money-lenders used the Courts with the connivance of the subordinates to recover their claims by the easy process of an *ex-parte* decree, the debtors knowing nothing of the proceedings till their property was seized in execution of decrees. During the last 5 years there were—

	1874.	1875.	1876.	1877.	1878.
Total number of suits disposed of in Subordinate Courts ...	152,058	155,010	161,439	125,927	119,110
Decrees <i>ex-parte</i> ...	90,336	83,846	83,573	60,031	58,553

In 1874 the establishments of the Judges were revised, and new rules for regulating the service and execution of processes were promulgated. It will be observed from the above figures that since that year there has been a steady decrease in the proportion of *ex-parte* decrees. As contrasted with 1874 when 59 per cent. of the suits were decreed *ex-parte*, during the year only 49 per cent. were so decreed.

Average duration of Suits.—The following Table shows the average duration of suits for this and last year:—

	Contested Suits.		<i>Ex-parte</i> .	
	1877.	1878.	1877.	1878.
Subordinate Courts ...	272	256	132	150
Subordinate Courts exercising Small Cause Court Jurisdiction ...	67	77	62	67
Assistant and Joint Judge's Courts ...	603	507	321	164
District Courts ...	402	403	279	184

During the year, in the Subordinate Courts, the average was highest in Dhárwár and lowest in the Panich Maháls, where the suits are few and of a comparatively simple kind. A contested suit took more than a year on an average in the Broach, Thána, Kolába, Násik, Dhárwár and Ratnágiri Courts, and in the Thána, Násik and Dhárwár Courts even an uncontested suit took more than a year. The average in the Dhárwár district was very much higher than in the other districts; it was over two years in contested and nearly two years in uncontested suits. No explanation is given of this great delay in the disposal of suits. It is probable however that the average was raised by the delay in suits pending from 1876 and 1877, which could not be disposed of through the parties having left the district during the famine.

In some of the Districts one or other of the Courts was closed from unavoidable causes for some time. In the Ratnágiri district this was the case for about 9 months. In the Kánara district, the Sirsi Court was closed for 3 months and 2 other Courts for periods under a month. And in the Sátára districts some of the Courts were closed for a considerable time.

Suits against Government.—During the year 64 suits were instituted against Government, being an increase of 15 from last year and a decrease of 60 from 1876. Twenty of these suits were brought in the Ahmedabad district and 9 in the Ratnágiri district. 17 referred to land or rights therein, 16 to personal rights; the rest were money suits for breaches of contract and damages. In the Ahmedabad district 5 were decided in favour of Government, 6 were compromised or withdrawn, and 3 were decided against Government. In Ratnágiri most of the suits were compromised and the Judge hopes that the settlement of the Khoti question will soon free Government from litigation.

Mofussil Small Cause Courts.—17,792 suits were instituted as against 16,310 last year, being thus an increase of 1,482. The number of suits pending (1,442) and the number of suits disposed of (16,941) was about the same as last year. Of the whole number disposed of 6 per cent. were dismissed for default, 35 per cent. were withdrawn with leave, confessed or compromised, and in about 7,000, or 41 per cent., the claim was awarded *ex-parte*. 2,505, or 14 per cent. were contested; and of these 2,118 were decided for plaintiff.

Unpaid Cantonment and Revenue Courts.—The unpaid tribunals are in the Násik, Ahmednagar, Poona and Sátára districts. Their work, as in previous years, was very small. There was a decrease of 95 in the suits instituted, and they disposed of in all 138 cases, of which 33 were contested.

The Cantonment Magistrates at Poona and Belgaum disposed of 1,642 suits, 653 less than last year. The number of suits instituted was less by 206.

In the Mánlatdár's Revenue Courts and in one unpaid Court in the Násik district 6,417 suits were instituted, 135 less than last year. And during the year 6,467 suits were disposed of.

Value and Nature of Suits.—The suits disposed of in the Revenue Courts show an increase of about Rs. 39,000 in their total value; but in the Civil Courts, excluding the High Court as to which there is no information, the value declined from 1877 by about Rs. 7,94,000, and from 1876 by 20 lacs.

There is no information available as to the total value of suits instituted. The average value, however, taking all the Civil Courts in the Mofussil, except the Revenue Courts, would probably be a little over Rs. 100. The average value of the suits disposed of in these Courts, during the year, was Rs. 102, and on the total value of the suits disposed of, the average value of each suit instituted, was Rs. 101 during the year and Rs. 103 in 1877. In about 2,740 suits disposed of no money value is given.

In the Subordinate Courts 83,724, or 69 per cent of the total number of suits instituted in them were based on bonds for sums under Rs. 500, and 97 per cent. were suits brought for sums under Rs. 500, 76 per cent. being for sums under Rs. 100.

In the Small Cause Courts the largest number of suits was for sums between Rs. 20 and 100; 33 per cent. were for sums under Rs. 20, 55 per cent. of the suits instituted were on bonds, 14 per cent. on accounts stated, and 17 per cent. for goods sold. In the Subordinate Courts it will be observed the percentage of

bond suits was higher than in the Small Cause Courts in the large towns. The suits on accounts stated 8·3 per cent. were, however, fewer. Next to these suits, in the Subordinate Courts, come suits for immoveable property, 6·1 per cent. and suits on parol contracts under Rs. 500, 4·2 per cent.

In the Ratnágiri, as in the other districts, the largest number of suits referred to debts; then came rent and land suits. As to the land suits the Judge (Mr. Izon) remarks: "Many of them are suits by Khots to recover rent of Khoti land cultivated by tenants. The Khot generally founds his claim on an inspection paper, which he prepares on the spot from an inspection of the crops or stocks in the field with the assistance of one or more of his friends, whether the tenant be present or not. No system of assessment can be more objectionable or more unfair to the cultivators. The revenue survey which is in progress it is hoped will soon determine the Khot's demands on the ryots more accurately." The Judge of Belgaum gives some interesting particulars. 8·9 per cent of the suits were for immoveable property. Of 3,841 suits disposed of, 3,526 were for money claims. 288 suits were between ryots, 309 were between ryots and persons not saucars, and 2,658 between ryots and saucars.

Execution of Decrees.—As already stated there was a remarkable decrease in the number of applications for execution of decrees. During the year there were 19,452 less than in 1877, and 75,813, or more than one-fourth the number in 1876, less than in that year. The unexecuted decrees also increased by 13,302.

The following is a statement of the results during the last 3 years in all Courts out of Bombay, except Revenue:—

		1876.	1877.	1878.
Applications to execute decrees	...	282,516	226,155	206,703
Decrees completely executed	...	30,212	23,066	27,786
Do. partly executed	...	80,352	59,402	47,511
Do. unexecuted	...	56,103	57,916	71,218
Persons imprisoned	...	4,550	3,612	3,823
Moveable property attached	...	17,551	13,577	13,361
Do. do. sold	...	7,293	5,113	4,512
Immoveable property attached	...	30,522	22,725	18,815
Do. do. sold	...	21,413	15,971	11,130

The figures in each of the Subordinate Courts were as under—

	Applications Filed.		Decrees completely executed.		Decrees partly executed.		Decrees unexecuted.	
	1877.	1878.	1877.	1878.	1877.	1878.	1877.	1878.
Ahmedabad	9,241	8,735	1,092	1,132	2,201	1,029	1,550	2,930
Kaira	22,963	19,003	2,119	2,302	6,239	5,266	2,291	6,023
Surat	9,521	4,733	790	629	1,471	1,002	2,613	1,722
Broach	19,073	10,333	1,857	1,010	4,163	2,092	3,727	2,551
Panch Mahals	1,472	765	330	223	909	431	753	390
Khandesh	27,924	31,472	2,934	3,179	5,640	3,753	7,116	12,126
Thána	12,319	10,793	1,116	1,069	2,701	1,268	3,002	4,638
Kolaba	7,244	6,272	710	849	1,511	861	2,112	2,008
Nasik	14,264	14,173	1,822	2,042	2,995	2,400	2,800	3,557
Ahmednagar	11,293	15,264	764	1,063	1,131	1,487	4,245	6,720
Poona	13,086	13,519	1,133	1,308	2,507	2,787	4,007	5,255
Sholapur	4,414	6,009	398	1,136	413	986	1,675	1,841
Nátara	12,674	11,726	1,238	1,553	2,634	2,270	3,003	4,524
Belgaum	3,231	3,309	367	529	2,229	2,027	1,500	1,773
Kalolgi	1,485	1,945	145	1,304	1,216	348	371	771
Dhárwar	3,146	3,409	534	593	1,257	1,226	727	1,205
Ratnágiri	10,469	8,404	1,313	1,460	1,705	1,741	3,043	3,216
Kánara	2,544	1,923	1,002	859	376	102	545	601
Kurrachee	1,297	929	650	415	261	127	59	81
Hyderabad	4,034	2,963	607	840	245	201	259	474
Shikárpur	5,504	3,506	971	916	991	134	441	372
Thar and Parkar	...	23	...	22	...	1	...	3

The following is a summary of the above figures, with the results in 1874-76, and the total number of suits instituted and disposed of is added for comparison:—

	1874.	1875.	1876.	1877.	1878.
Number of suits instituted ...	147,244	153,814	151,112	119,398	120,074
Number of suits disposed of ...	152,058	155,010	161,439	125,927	119,410
Applications for execution of decrees ...	234,034	239,163	243,946	196,900	179,537
Decrees executed ...	24,761	25,180	26,643	22,048	24,463
Decrees partly executed ...	67,860	56,698	60,498	44,087	34,077
Decrees unexecuted ...	62,191	56,429	50,591	52,277	63,676

III.—APPELLATE.

High Court from Division Courts.—There were 22 appeals remaining from 1877, and 36 were instituted during the year, and 36 disposed of: 4 were dismissed or withdrawn, and the rest were contested—11 confirmed, 7 modified, 13 reversed, and 1 remanded.

	1874.	1875.	1876.	1877.	1878.	High Court, Bengal. 1877.
Number of appeals...	33	25	21	26	36	38
Number disposed of ...	27	37	27	15	36	23
Contested ...	17	29	24	10	32	14
Confirmed ...	11	18	15	4	11	13

High Court. Appellate Side.—540 appeals altogether were instituted during the year, 58 more than in 1877. 296 remained from last year, and of the 836 for disposal, 610 were disposed of during the year, 71 more than in 1877; but the number of contested appeals was 93 less. Of the number instituted, 449 were second and special appeals. According to the table for 1877 there were only 264 special appeals instituted. But the number given is wrong, as by mistake the second appeals were reckoned as appeals from District Courts instead of as special appeals. The appellate work from the District Courts stands thus, compared with former years:—

	1874.	1875.	1876.	1877.	1878.
Regular and special appeals instituted ...	679	588	529	482	539
Decided <i>ex-parte</i> ...	25	44	30	78	203
Contested ...	467	617	586	460	367
Confirmed ...	305	406	398	322	230
Modified ...	34	51	40	44	44
Reversed ...	56	91	76	53	52
Remanded ...	72	69	72	41	41

There was thus an increase of 57 in the number of appeals instituted, but a decrease as compared with the average of former years. As to the much larger proportion than before which were decided *ex-parte*, 33 per cent. of the whole number disposed of, against 13 per cent. in 1877 and 4 per cent. in 1876, the increase is explained by the fact that in the large majority the appeals shown as decided *ex-parte* were dismissed without notice having been sent to the respondents, under the provisions of section 551 of the Civil Procedure Code. There was accordingly a proportionate decrease in the number of contested appeals. Sixty-five per cent. of the contested appeals decided were confirmed in 1875, 67 per cent. in 1876, and 70 per cent. in 1877. Last year this percentage was 62. This does not, however, mean a less satisfactory result, as many of the appeals dismissed *ex-parte*, under section 551 of the Code, were such as in former years under the old procedure would have been contested; and they would so have been shown as confirmed among the contested appeals, and would thus have served to raise the percentage of appeals confirmed. From the same cause the appeals reversed during the year are made to bear a larger percentage than would have been the case formerly. The new Code came into force on the 1st October 1877, and hence, probably, the proportionate increase that year in the number of appeals decided *ex-parte*.

Seventy-four regular appeals from District Courts were disposed of. The appeals confirmed, out of those contested, were at the rate of 60 per cent.; from the Division Courts of the High Court the appeals confirmed were at the rate of 34 per cent. Of the miscellaneous appeals instituted, 10 were under the minors Act (20 of 1864), 1 under Act X of 1865, 1 under the Letters Patent, and 23 Miscellaneous. At the end of the year 225 appeals were pending, and of these 122 were over 4 months.

District Courts from Subordinate Courts.—There has been a slow but steady decline in the number of appeals from the Subordinate Courts—

	1874.	1875.	1876.	1877.	1878.
Appeals instituted ..	3,749	3,802	3,781	3,626	3,000

Some of the Judges consider that the decrease is owing to the improved quality of the work done in the Subordinate Courts, a result of the improvement in the education of the Subordinate Judges and the better procedure rules now in force. The great improvement of the Subordinate Courts has been generally noticed and is a most gratifying result, and there can be no doubt that suitors are now beginning to find that where the original suit has been carefully tried and there are no doubtful questions of law involved, there is nothing to be gained, as a rule, by an appeal; but there are other causes which have also been clearly at work. Apart from the natural decrease to be expected in proportion to the decrease in the number of suits instituted, a great many of the Subordinate Judges have been invested with Small Cause Court jurisdiction, and the suits disposed of by them in that capacity are no longer appealable. The power to dismiss appeals without calling on the respondent, as given by Section 550 of Code, has also tended to discourage such appeals as were formerly brought by the losing side merely to gain time or to carry on as far as practicable vexatious litigation. The only district in which there was an appreciable increase in the number of appeals, notwithstanding the decrease in the number of suits, was Ratnágiri. The Judge remarks that although 3 of the Subordinate Judges have been given summary powers, the appeals have increased by 53. The litigation in that district is altogether exceptional. It has to be remarked, however, that, as compared with 1875, when the number of appeals was the largest, the actual proportion of appeals to suits instituted remains the same, namely, 2.4 per cent.; but the proportion of appeals to appealable decisions in the Subordinate Courts was only 14 per cent during the year, as against 15 per cent. in 1877 and 16 per cent. in 1875. The most marked decrease was in Broach, where the appeals fell off to a little over one-third of the number in 1877, and in Surat, where the appeals were about one-half the number in 1877. In these districts the decrease accompanies the falling off in the original suits and the litigation generally. Excepting a slight rise in Dhárwár, Khándesh, Kolába and Ahmedabad, in addition to Ratnágiri, there was a falling off in all the districts.

The Appellate work in each of the districts is shown below :—

	Number Instituted.		Number Disposed of.	Contested Appeals.	Pending.	Ratio of Appeals to original suits contested.
	1877.	1878.				
Ahmedabad	112	134	86	51	185	19.6
Kaira	142	115	80	49	186	12.6
Surat	163	84	114	75	226	11.7
Broach	202	71	102	83	278	12.9
Panch Maháls	59	37	30	22	84	24.8
Thána	230	*171	254	214	189	10.7
Kolába	161	†188	177	161	204	14.7
Násik	223	178	76	66	357	10.4
Khándesh... ..	180	193	183	163	149	7.9
Ahmednagar	184	159	99	81	188	13.4
Poona	274	172	239	185	28	11.8
Sholápur	154	97	166	142	56	9.2
Sátára	243	236	234	211	121	15.5
Belgaum	168	154	171	151	88	21.2
Kuládpi	77	37	57	46	47	10.1
Dhárwár	131	142	207	179	124	22.
Ratnágiri	456	509	404	325	614	23.2
Kánara	186	143	171	157	179	21.4
Kurnacheo	12	8	11	10	2	1.8
Hyderabad	53	41	47	43	10	3.3
Shikárpur... ..	202	137	143	132	24	11.5
Total ...	3,626	3,000	3,051	2,550	3,349	14.1

* Includes 5 remanded from High Court.

† Do. 6 do. do.

Excepting Shikárpur, the number of appeals in the Sind Districts was very small. In the Thar and Párkar District there was not a single appeal instituted, although there were 186 suits, including 31 contested, disposed of. The heaviest appellate work has been, as in former years, in Ratnágiri. The number of appeals instituted, disposed of and contested, has been much larger in that district than in any other. The proportion of appeals to contested or appealable suits in that district, namely, 23.2 per cent, has also been the largest, excepting in the Panch Maháls, where, however, the number of contested suits was small. The largest number of contested suits was in Khándesh, and yet the proportion of appeals to such suits there was only 7.9 per cent. the lowest proportion if the Sind Districts be excepted. The percentage of appeals to appealable decisions was over 20 in the Ratnágiri, Belgaum, Dhárwár and Kánara Districts, and excepting Ahmedabad and Sátára was below 15 per cent. in the other districts. In 1877 the percentage in the Ratnágiri District was 25.2. In that district one Judge succeeded in disposing of 404 appeals, that is about double the work performed by a single Judge in any other district. No explanation is given of this fact. And the reports of the District Judges do not give any information as to the character of the principal appellate work in the district. As will be seen from the above table, the arrears at the end of the year were 750 in the Thána District, including Kolába and Násik, 614 in Ratnágiri, 504 in Surat, including Broach, 371 in Ahmedabad and Kaira, 183 in Ahmednagar and 179 in Kánara. In the other districts the number was under 150. The First Class Subordinate Judge of Dhárwár has appellate powers, and he disposed of 174 out of the 207 appeals disposed of, the time of the District Judge having been taken up largely by criminal work.

Sadar Court, Sind.—Fourteen regular and 17 second appeals were instituted during the year and 17 remained from 1877. Thirty were disposed of and 18 were pending at the end of the year.

Revenue Courts.—Ninety-nine appeals were instituted and disposed of in the Collector's Appellate Court. Excepting one appeal in Khándesh, all these appeals were instituted in the Kaira District.

IV.—GENERAL.

Cost of Courts.—The total cost of the Civil Courts out of Bombay, including the cost of the Sessions Courts which it is not possible to show separately, was Rs. 16,22,836; while the aggregate revenue from Stamps and Court fees amounted to Rs. 16,34,037. The average cost on each suit instituted was about Rs. 11, and on each suit disposed of Rs. 13. The average realised in Stamps and Court fees, on each suit instituted, was Rs. 11-12-0. The cost of the High Court, Original Side, was Rs. 4,79,199, and Appellate Side Rs. 2,74,317, and of the Sadar Court in Sind Rs. 37,453, making a total cost of Civil Courts Rs. 24,13,807. The net cost of the High Court, after deducting the stamps and fees realised, was about Rs. 4,37,593, and of the Sadar Court in Sind Rs. 34,324. This includes, as in the case of the other Civil Courts, the cost on the criminal side. All the Small Cause Courts yield a surplus revenue after deducting the expenses of establishment. The Poona Court gives the largest amount, Rs. 16,819, and the Kurrachee Court the smallest, Rs. 3,601. The cost of the Courts exceed the receipts in the following Subordinate Courts—Panch Maháls, Ratnágiri, Kánara, Kurrachee, and Thar and Párkar. The largest revenue is obtained from the Dhárwár Courts.

Arbitration.—The total number of suits referred to arbitration were in each year from 1875, 267, 324, 480 and 433 respectively, the great majority being from the Subordinate Courts. These suits are very few compared with the whole number of suits disposed of. The Courts are always ready to give parties time to settle their disputes by a reference to arbitration, but the above figures conclusively show that suitors are averse to resorting to arbitration, and that they prefer an adjudication by the Regular Courts though this is often accompanied by delay and expense, and a somewhat rigid application of the rules of procedure and evidence. The Lavád or Arbitration Courts seem to be decreasing in popularity, as remarked in a previous administration report. Government is desirous of abiding the decision of time as to whether they meet a real want or not. The Judge of Ratnágiri remarks that he is informed the Court there did no work during the year. The Lavád Courts tried in the Ratnágiri District on the system of the old Pancháyats seem, he says, to be a failure. "The people would appear to have no confidence in the good faith of the arbitrators. It was a new scheme, and the novelty attracted some suitors, but as soon as the scheme was brought into practice, and the result tried, no one would go to the Court."

In two of the Khándesh Subordinate Courts 179 arbitration awards were filed. The other Judges have not noticed the subject. The Judicial Commissioner in Sind states that in one of the Sind Districts creditors have, by an ingenious device, used the provisions of Chapter 37 of the Code, which refers to arbitration, as a means of recovering their claims from debtors without paying stamp duties and fees of Court; but his explanation is not very clear.

Insolvency.—The reports of the District Judges do not show that any use was made during the year of the Insolvency provisions of Chapter 20, the Code of Civil Procedure by judgment-debtors. In one Subordinate Court, in the Sholápur District, it is stated 7 applications were made, but these apparently referred to an application under Chapter 21, Section 370, by a defendant, in a suit in which the plaintiff became bankrupt, for the dismissal of the suit, as if the applications had been by judgment-debtors for a declaration of their insolvency, they would have been made in the District Court, as required by law. One of the Subordinate Judges, in the Khándesh district, remarks that persons in really destitute circumstances cannot take advantage of the provisions of Chapter 20 owing to their inability to pay the Court fees and the expenses of notices to their creditors and advertisements in the public papers. The expense of advertisements may be avoided at the discretion of the Court, but there seems to be no doubt that the machinery provided is too cumbrous and expensive for ordinary use. It involves an application to the District Court, and the appointment of a receiver and a procedure which cannot be otherwise than lengthy and expensive. Time is no

doubt required for the gradual diffusion of a knowledge of this and other new provisions of the law among the mass of the people, but sufficient time has now elapsed to show that such provisions are not appreciated even in the large towns in which the District Courts are situated.

Small Cause Court Jurisdiction of Subordinate Courts.—The Judge of Ratnágiri reports that the Small Cause Court system in the Subordinate Courts appears to have worked well and can be extended with advantage to the other courts not invested with the power. In the Ahmednagar District all the Subordinate Judges are now invested with that power, and the Judge seems to be satisfied with their work. The First Class Subordinate Judge at Sátára has also that power, and at the end of 1877 the Subordinate Judge at Sholápur was invested with Small Cause Court power throughout his jurisdiction and not within the cantonment only, as before. Four out of the 9 Subordinate Courts, in the Khándesh District, have also the power. The working of the system should be particularly noticed in futuro reports, and the supervision exercised shown. The summary procedure in these courts, in the trial of suits cognizable by Small Cause Courts, certainly gives the advantage of a speedy disposal of the suits. The average duration of suits in the undermentioned courts was :—

	REGULAR SUITS.		SMALL CAUSE COURT CLASS.	
	Contested.	Uncontested.	Contested.	Uncontested.
Khándesh	127	61	58	53
Ahmednagar	162	68	83	60
Sholápur	113	83	35	36
Sátára	288	246	135	118

Miscellaneous Applications.—The reports do not show the applications for certificates of heirship, guardianship, administration, and the like. These, it is believed, are numerous in some districts, and take up a considerable portion of the time of the Judges. The Judge of Belgaum mentions that in his Court 77 miscellaneous applications were received, and the Judge of Dhárwár states that he disposed of 76.

Working of the Civil Procedure Code.—Nearly all the Judges notice the greater delay and expenso involved in the new procedure on applications for execution of decrees, and there is no doubt that a considerable degree of extra labour is imposed on the courts. It also appears probable, as stated above, that the new Code of Civil Procedure, has served to check the applications for execution of decrees and to increase the number of unexecuted decrees. But as the Judge of Ratnágiri remarks the longer procedure now required by Section 287 as to the ascertaining of the rights of judgment-debtors in the property to be sold is compensated by the advantage derived by the public from such a system. Purchasers, at Court sales, will not any longer “buy visionary interests and involve themselves in endless litigation.” But in the case of moveable property actually seized, of small value, that Judge’s opinion is generally concurred in that the long investigations required by the rules in force appear to be unnecessary and increase the costs which eventually fall upon the debtors.

One of the Subordinate Judges in the Khándesh District thinks that the new code is half as expensive again in its working as the old, owing to the increase in the number of notices, and that the issue of so many notices as at present required in respect of property, which is very small, is quite needless and productive of great delay. Another Subordinate Judge, in the same district, states that proceedings in execution of decrees now usually last for 6 months: “It would have been better to apply the rules to immoveable property only, and a general application of the rules to all kinds of property is injurious. The Kunbis and others are deep in debt, and their property consists of a cot, a grinding mill, and a few cooking-vessels. Yet this property remains under attachment for several months, while the proceedings in the High Court rules are pending

or in progress, and then is sold for a few annas." During the year the Judge of Khándesh made a report to the High Court as to the practice which tended to delay the execution, and to keep property such as live-stock under attachment for months. The High Court thereon ruled that the examination of the judgment-debtor, as ordered in the rules under Section 237 of the Code, "need not be taken at a cost of inconvenience out of proportion to the value of the property, unless this should be made necessary by claims actually brought forward." The object of the inquiry under these rules is, it is said, generally defeated by judgment-debtors, hardly ever appearing.

In connection with this subject it may be mentioned that one of the Subordinate Judges in the Sholápur District thinks that judgment-creditors, fearing lest their diligence may be impeached under Section 230 of the Code on their making a renewed application for execution of their decrees, often carry on execution proceedings at a loss to themselves as well as to their debtors. The subject is not, however, noticed in any of the other reports.

During the year Government, under the power conferred by Section 320 of the Code, ordered that the execution of decrees should be transferred from the Civil Courts to the Collector in the districts of Poona, Sholápur, Ahmednagar, and Sátára, in those cases in which a Court has ordered either in execution of a decree or on the terms of the decree itself, the sale of land belonging to any person who earns his livelihood, either wholly or principally, by agriculture. Rules were also published for the guidance of the Collector. Under the amending Act XII of 1879, the law bearing on the subject has been considerably improved.

Section 258, Civil Procedure Code.—An opinion is expressed by some of the Subordinate Judges that a limitation of 15 days, under Section 258 of the Code, is not beneficial. "The debtor is generally afraid of certifying any payments to the court for fear of displeasing the creditor. He cannot force the creditor to certify the payments immediately, and the creditor executes the whole of his decree, and probably appropriates the debtor's payments to some unsecured or time-expired debt. The present provisions of the law press very severely on ignorant people in a district like Khándesh."

Section 266, Civil Procedure Code.—The Judge of Ratnágiri remarks that, under Section 266 of the Code, fishermen's nets and boats are not exempted from attachment, apparently by an oversight. The attachment of the nets and boats reduces the fishermen to starvation, and the courts are helpless as the law stands. It is to be regretted that the subject was not brought to the notice of the Government of India before the amending Act was passed.

Minors.—The Judge of Khándesh notices the great inconvenience caused by the new rules in the Civil Procedure Code as to the appointment of guardians *ad litem*, being inoperative in this Presidency through the Minors' Act (XX of 1864). The High Court has decided that, notwithstanding the rules in the Procedure Code, a person cannot defend a suit on behalf of a minor without a certificate from the District Court. When the suit is brought against the minor by a creditor, no one will come forward on behalf of the minor, and hence the Názir has to be appointed; and then the jurisdiction of the Subordinate Courts is barred and proceedings have to be taken *de novo* in the District Court because the Názir, as an officer of Government, is a party. Great delay and expense are therefore caused, simply because one of the parties happens to be a minor. A change in the law, it is suggested, is required to meet such cases.

Khándesh.—Some particulars are given in the report of the Judge of Khándesh as to the state of the country, which deserve to be recorded. "In the western part of the district," he says: "there is very little trade and not much cultivation, and the country is wild and remote. The general condition of the Agriculturists, throughout the district, seems to be one of indebtedness and poverty. The provisions of the new Civil Procedure Code do not make much difference in their condition; while they cause considerable expense and delay." The Subordinate Judge of Nandarbár remarks that "the population in the 4 talukas within his district is about 177,416, for the most part Bhils who follow

no occupation except cultivation. They generally work as Saldárs or labourers by the year, for the cultivators especially the Guzars. Suits brought against them are seldom contested, and they are sunk in deplorable ignorance. Often the trading class take advantage of the Evidence Act, avoiding Stamp and Registration charges. The creditors get accounts adjusted by the debtors or simple money bonds passed, and cause the debtors to relinquish their lands in their favour by getting them transferred to their names in the revenue books. The land remains standing in the creditor's name as security for payment of the debt. So, too, the debtors execute deeds of sale conveying their lands and houses, there being a mutual oral agreement that if the purchase money is repaid with interest, the debtor will receive back his property. But the creditor taking advantage of Section 92 of the Evidence Act fails to fulfil the oral agreement and dispossesses the debtor of all his property in consideration of a very small sum."

Rules passed.—During the year rules were published in the Gazette as to the remuneration and duties of the Law Officers of Government, and as to suits and civil proceedings in the mofussil in which Government or any officer of Government is a party, or in which Government have any interest.

The High Court also published rules as to examinations for the offices of Subordinate Judges, and of Pleader of the High Court and District Pleader. These rules are to come into force from the beginning of 1880. There are to be two standards—the higher standard for Subordinate Judges and High Court Pleaders, and the lower standard for District Pleaders. The examinations, however, for both standards are to be the same, and are to be held annually in February or March. The examination is to be conducted in the English language, "want of proficiency in which, as shown in the candidate's answer, will be held to disqualify him."

Rules were also passed by the High Court during the year as to Pleader's costs, Testamentary and Intestate practice in the High Court, sales by the Commissioner in the High Court, and Copying and Translating fees.

There was no legislation during the year which calls for any particular notice.

Changes in the Courts and Staff.—In August 1877, the Small Cause Court, at Ahmednagar, was abolished, and a Court of a Subordinate Judge, 2nd class, 3rd grade, opened at Shrigonda. This Subordinate Judge has since been deputed to assist the Subordinate Judge at Nagar. The Court at Sangameshvar, in the Ratnágiri District, was, during the year, removed to Deorukh.

At the beginning of the year there were 3 substantive vacancies in the establishment of Subordinate Judges, and during the year 3 Subordinate Judges retired on pension—Ráo Sáheb Raoji Govind Karandikar, Harilal Ambashankar, and Dinshaji Pestonji Dastur. Six Subordinate Judges died during the year—Ráo Sáheb Wamanrao Parashram Damle, Mukundrao Bhaskar Kothari, Wasudev Nilkhant Bhadkamkar, Fakirappa Lingappa, Vishnu Moreshwar Kelkar, and Khán Sáheb Shavaksha Sorabji Davar. The following 11 Subordinate Judges were appointed to substantive vacancies in the 2nd Class, 3rd Grade:—Ráo Sáheb Krishnaji Narayan Khor, Waman Mahadev Bodas, Khán Sáheb Jamsetji Ardesir Dálál, Ráo Sáheb Anant Gopal Bhave, Vishwanath Vinayak Paranjpe, Chandulal Mathuradas Daolatjada, Raghunath Shivram Tipnis, Vyankatrao Laxamaya, Mahadeo Shridhar Kulkarni, Raghvendra Ramchandra and Nagardas Narotamdas Nanavati. And there was one substantive vacancy at the end of the year.

The following promotions were made:—From 2nd class, 1st grade to 1st class, 3rd grade—Ráo Sáheb Ramrao Subaji Gutikar. From 2nd class, 2nd grade to 2nd class, 1st grade—Ráo Sáheb Shivalal Nathubhai, Govind Jaganath Kotwal, Ramchandra Janardhan Palnitkar, Ragho Narayan Kondvikar and Samukhram Navnidrai Hora.

From 2nd class, 3rd grade to 2nd class, 2nd grade—Khan Sáheb Manekji Nasarwanji Nanavati, Mr. L. G. Fernandez, Ráo Sáheb Dinkar Dhondeo Datar, Khán Sáheb Edulji Manjibhai Modi and Ráo Sáheb Gopal Vinayak Bhanap.

During the year appellate powers under the Bombay Civil Court's Act XIV of 1869, were conferred on Ráo Bahádur Mahadeo Govind Ranadé, 1st Class Subordinate Judge, Násik, under Section 27, and under Section 17 on Messrs. A. L. P. Larken, J. Monteath, and J. Davidson.

A.

*Original Cases instituted, disposed of and pending, 1877-78.**

Division.	District.	Courts.	Instituted.		Disposed of		Pending.	
			1877.	1878.	1877.	1878.	1877.	1878.
			Ra.	Ra.	Ra.	Ra.	Ra.	Ra.
	Ahmedabad	Regular ...	4,984	5,350	5,861	5,281	1,913	2,255
		Small Cause Court ...	3,654	4,117	3,605	3,925	405	597
	Kaira ...	Regular ...	7,974	7,277	10,554	6,943	1,612	1,846
		Do. ...	3,776	2,950	4,127	3,398	1,472	1,047
	Surat ...	Small Cause Court ...	2,719	3,152	2,726	3,037	307	419
	Broach ...	Regular ...	6,434	3,522	7,048	3,877	1,818	1,462
		Small Cause Court ...	779	1,190	769	1,118	121	192
	Panch Maháls ...	Regular ...	1,309	869	1,354	744	105	230
	Thána ...	Do. ...	5,886	5,752	6,586	5,468	1,508	1,524
	Kolába ...	Do. ...	3,688	3,397	3,602	3,350	1,330	1,326
	Násik ...	Do. ...	8,902	10,002	9,324	9,254	1,967	2,720
	Khándesh ...	Do. ...	14,272	18,161	14,735	17,640	3,153	3,674
	Ahmednagar ...	Do. ...	5,703	7,842	5,762	7,405	2,009	2,813
		Do. ...	9,043	8,506	9,187	8,762	2,672	2,412
	Poona ...	Small Cause Court ...	5,485	5,867	5,745	5,514	542	895
	Sholápur ...	Regular ...	4,052	5,178	3,507	5,211	1,184	1,151
	Sátára ...	Do. ...	8,155	7,868	9,094	8,289	3,450	3,033
	Belgaum ...	Do. ...	3,554	4,080	3,699	4,028	634	687
	Kaládgi ...	Do. ...	1,794	2,717	1,673	2,706	384	391
	Dhárwár ...	Do. ...	3,599	4,270	3,460	4,212	569	624
	Ratnágiri ...	Do. ...	6,845	6,460	7,336	7,356	3,806	2,935
	Kánara ...	Do. ...	2,646	2,263	2,586	2,272	1,881	1,619
		Do. ...	2,638	2,280	2,670	2,268	141	154
	Kurrachee ...	Small Cause Court ...	3,673	3,467	3,677	3,347	67	186
	Hyderabad ...	Regular ...	7,221	7,064	7,103	6,982	394	486
	Shikárpur ...	Do. ...	8,828	6,114	9,080	5,952	515	700
	Thar and Párkar ...	Do. ...	415	174	408	216	44	56
	Total ...	Regular ...	1,10,718	1,22,022	1,28,761	1,21,614	32,197	33,499
		Small Cause Court ...	16,310	17,792	16,522	16,941	1,442	2,289
		Grand Total ...	1,38,028	1,39,814	1,45,283	1,38,555	33,639	35,788

* Includes all Courts except High Court and Revenue Courts.

B.

Number and Value of Suits instituted in the Regular Civil Courts, i. e., excluding the Small Cause Courts, 1874-1878.

Districts.	Value in 1874.	Number in 1874.	Number in 1875.	Number in 1876.	Number in 1877.	Number in 1878.	Value in 1878.	REMARKS.
	Rs.						Rs.	
Ahmedabad	15,00,043	10,735	16,544	17,265	A 5,843 K 8,852	A *4,875 K 6,901	*9,36,769 4,75,303	*Taken from Return No. 7. The number of suits instituted, shown in this return, is the number of suits disposed of; as the value of suits disposed of only is given in Statement No. 7, and this is the only information available as regards value of suits. Consequently the number of suits entered here will not agree with the number entered in Statement A.
Kaira	10,13,059	15,406	13,054	14,923	S 4,096 B 6,986	3,351 3,865	11,26,273 4,76,731	
Surat	91,830	1,733	1,754	1,816	-1,353	744	62,615	
Panch Mahals	22,37,091	25,634	24,531	23,350	T 6,564 O 3,583	5,280 3,344	4,94,865 3,11,346	
Thana	18,91,700	22,617	19,780	22,356	N 9,261 -14,735	9,103 17,640	8,32,532 15,15,809	
Kolaba	6,78,814	(a) 10,442	9,049	(c) 8,041	5,758	7,039	9,68,066	
Nasik	17,76,045	(b) 16,714	15,526	17,867	P 8,901 S 3,507	8,748 5,211	10,05,230 5,30,776	
Khândesh	11,40,918	12,674	11,448	12,434	9,094	8,289	8,81,348	
Ahmednagar	5,60,171	4,433	4,773	3,841	3,609	4,028	4,39,174	
Poona	3,65,713	3,418	3,460	3,331	1,662	2,698	2,96,658	
Sholapur	4,68,740	2,575	3,760	4,729	3,464	4,210	6,72,316	
Natara	4,60,761	7,282	7,602	7,601	0,918	7,315	5,03,769	
Belgaum	4,05,291	2,871	3,085	2,908	2,583	2,271	2,54,506	
Kaladgi	1,93,235	1,625	3,123	2,758	2,636	2,241	3,98,765	
Dhârwar	4,94,118	4,772	7,658	7,580	7,103	6,955	5,29,009	
Ratnâgiri	4,31,613	4,833	8,929	10,114	0,086	5,051	4,65,839	
Kânara	29,014	269	314	377	391	182	20,799	
Kurrachee								
Hyderabad								
Shikârpur								
Thar and Pârkar								
	1,46,83,996	153,093	155,199	162,101	126,074	120,241	1, 2,88,898	

(a). Of these 89 suits were disposed of by the Jaghirdârs.

(b). This includes 1,449 suits decided by the Cantonment Magistrate of Poona.

(c). Of these 92 suits were disposed of by the Jaghirdârs.

C.

Suits how disposed of in all Courts, i. e., including Small Cause Courts.

Division.	District.	Withdrawn, compromised, &c.	Decided Ex-parte.	Contested.	Total.	Remarks.
Ahmedabad		1,032	2,655	604	5,281	
Small Cause Court		1,285	1,910	729	3,924	
Kaira		1,537	4,477	909	6,943	
Surat		1,626	1,039	716	3,381	
Small Cause Court		2,006	786	245	3,037	
Droach		729	2,582	550	3,860	
Small Cause Court		479	577	62	1,118	
Panch Mahals		395	200	149	744	
Thana		1,980	1,903	1,556	5,439	
Kolaba		807	1,307	1,236	3,350	
Nasik		2,962	4,578	1,714	9,254	
Khândesh		3,163	11,800	2,428	17,391	
Ahmednagar		2,062	4,141	1,182	7,405	
Poona		1,727	5,581	1,454	8,762	
Small Cause Court		2,054	2,451	1,009	5,514	
Sholapur		973	2,987	1,035	5,015	
Natara		1,247	5,510	1,519	8,276	
Belgaum		817	2,487	724	4,028	
Kaladgi		344	1,996	366	2,706	
Dhârwar		610	2,960	643	4,213	
Ratnâgiri		1,562	3,594	2,196	7,352	
Kânara		594	972	690	2,256	
Kurrachee		1,534	303	424	2,261	
Small Cause Court		1,382	1,505	460	3,347	
Hyderabad		4,709	1,059	1,214	6,982	
Shikârpur		4,261	605	1,191	6,057	
Thar and Pârkar		150	28	33	216	
Total ...	{ Regular	23,760	62,764	22,648	121,172	
	{ Small Cause Court.	7,206	7,229	2,603	16,940	
Grand Total ...		32,966	69,993	25,153	138,112	

D.

Decrees Executed in the Regular Courts, i. e., excluding Small Cause Courts.

Districts.	1878.		
	Completely.	Partially.	Amount Realised.
Ahmedabad	1,138	1,064	No information.
Kaira	2,302	5,307	
Surat	633	1,002	
Broach	1,013	2,692	
Panch Máháls... ..	223	431	
Thána	1,072	1,593	
Kolába	851	861	
Násik	2,057	2,520	
Khándesh	3,186	3,753	
Ahmednagar	1,046	1,519	
Poona	1,505	4,379	
Sholápur	1,138	980	
Sátára	1,543	2,295	
Belgaum	625	2,627	
Káládgi	1,416	848	
Dhárwár	508	1,640	
Ratnágiri	1,461	1,541	
Kánara	889	182	
Kurrachee	461	230	
Hyderabad	843	303	
Shikárpur	919	539	
Thar and Párkar	34	1	
Total ...	24,863	35,903	

E.

Appeals.

Division.	District	Instituted.		Disposed of.		Pending.		REMARKS.
		1877.	1878.	1877.	1878.	1877.	1878.	
	Ahmedabad	112	134	70	86	106	185	
	Kaira	142	115	77	80	123	186	
	Surat	163	84	72	114	256	226	
	Broach	202	71	65	103	309	278	
	Panch Mâhâls	59	37	18	30	77	84	
	Thâna	230	166	235	254	272	189	
	Kolâba	161	182	194	177	193	204	
	Nâsik	223	178	126	76	255	357	
	Khândesh	190	193	164	183	139	149	
	Ahmednagar	184	159	123	99	128	188	
	Poona	274	172	301	239	95	28	
	Sholâpur	154	97	214	166	125	56	
	Sâtâra	243	236	226	234	119	121	
	Bolgaum	168	154	122	171	107	88	
	Kalâdgi	77	37	47	57	69	47	
	Dhârwar	131	142	168	207	189	124	
	Ratnâgiri	456	509	286	404	509	614	
	Kânara	186	148	168	171	202	179	
	Kurrachee	12	8	9	11	5	2	
	Hyderabad	53	41	46	47	20	10	
	Shikârpur	202	137	257	143	44	24	
	Thar and Pârkar	1	...	1	...	...	...
	Total ...	3,613	3,000	2,989	3,051	3,342	3,349	

F.

Number of Appellate Judges and of Appeals preferred with ratio of Appeals to Decisions (contested).

Division.	District	Appellate Judges.	Original Suits tried on merits.	Appeals preferred.	Ratio per cent. Appeals to original contested Decisions.	REMARKS.
	Ahmedabad	1	681	134	19.6	
	Kaira		903	115	12.7	
	Surat		708	84	11.8	
	Broach		543	71	12.9	
	Panch Mâhâls	1	149	37	24.8	
	Thâna		1,551	166	10.7	
	Kolâba	3	1,234	183	14.7	
	Nâsik		1,700	178	10.4	
	Khândesh	1	1,851	193	10.4	
	Ahmednagar		636	159	25	
	Poona	3	1,410	172	12.1	
	Sholâpur		964	97	10	
	Sâtâra	1	1,414	236	16.7	
	Bolgaum		710	154	21.6	
	Kalâdgi	2	355	37	10.4	
	Dhârwar		633	142	22	
	Ratnâgiri	1	2,190	509	23.2	
	Kânara		689	148	21.4	
	Kurrachee	1	596	8	2	
	Hyderabad		1,211	41	3.3	
	Shikârpur	1	1,187	137	11.5	
	Total ...		20	21,117	3,000	...

G.

Appeals instituted, 1874-1878.

Districts.	1874.	1875.	1876.	1877.	1878.	REMARKS
Ahmedabad, including Kaira	{ Civil ... 236 Revenue	256	280	{ A. 112 K. 287 145	134 115 93	
Surat, including Broach	{ Civil ... 204 Revenue	220	221	{ S. 163 B. 202	84 71	
Panch Máhals	{ Civil ... 107 Revenue	70	82	59	37	
Thána, including Kolába and Násik	{ Civil ... 541 Revenue	604	526	{ T. 230 C. 161 N. 223	-166 -132 -178	
Khándesh	{ Civil ... 233 Revenue	274	209	180	193 1	
Ahmednagar	{ Civil ... 239 Revenue	280	261	184	159	
Poona, including Sholápur	{ Civil ... 670 Revenue	429	513	{ P. 274 S. 164	172 97	
Sátára	{ Civil ... 276 Revenue	308	303	243	236	
Belgaum	{ Civil ... 172 Revenue	243	200	163	154	
Kaládgi	{ Civil ... 152 Revenue	110	109	77	37	
Dhárwár	{ Civil ... 207 Revenue	284	219	131	142	
Ratnágir	{ Civil ... 415 Revenue	440	357	456	509	
Kánara	{ Civil ... 139 Revenue	162	233	186	143	
Kurrachee	{ Civil ... 7 Revenue	9	8	12	8	
Hyderabad	{ Civil ... 47 Revenue	47	59	53	41	
Shikárpur	{ Civil ... 102 Revenue	59	121	215	137	
Thar and Párkár	{ Civil ... 2 Revenue	2	5	1		
Total	{ Civil ... 3,749 Revenue	3,802	3,781	3,771 145	3,009 99	

H.

Appeals how disposed of.

Division.	District.	Confirmed.	Modified.	Reversed.	Remanded.	Otherwise disposed of.	Total.	Remarks.
	Ahmedabad ...	46	4	4	...	32	86	* Appeals merely transferred from one Court to another are not included.
	Kaira... ..	45	5	2	...	28	80	
	Surat	69	7	17	5	14	112	
	Broach	60	8	10	7	10	101	
	Panch Mâhals	22	...	4	2	2	30	
	Thana	140	39	46	12	17	254	
	Kolâba	101	24	38	7	7	177	
	Nâsik	35	15	6	14	5	75	
	Khândesh	132	18	25	8	5	183	
	Ahmednagar	45	10	23	10	11	99	
	Poona	139	43	35	6	16	239	
	Bholâpur	92	20	30	8	16	166	
	Bâtara	144	20	22	41	7	234	
	Belgaum	67	85	41	21	7	171	
	Kalâjgi	82	18	9	1	2	112	
	Dhârwar	136	19	36	11	5	207	
	Ratnâgiri	242	48	44	11	19	404	
	Kânara	104	30	25	6	6	171	
	Kurrachee	7	...	3	...	1	11	
	Hyderabad	28	9	5	2	3	47	
	Bhikârpur	98	10	27	8	...	143	
	Total ...	1,830	378	452	175	218	3,048	

I.

Business of the Courts of Small Causes, 1878.

Division.	Court.	SMALL CAUSES COURTS.											Total disposed of.	Pending.	
		Suits remaining from last year.	Instituted in 1878.	Total for disposal.	Suits rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed <i>ex parte</i> .	Dismissed <i>ex parte</i> .	Contested. Judgment for Plaintiff in whole or in part.			Judgment for Defendant.
	Ahmedabad ...	838	3,142	3,475	6	341	9	392	301	1,296	23	458	111	2,967	508
	Nadiad... ..	72	975	1,047	9	76	3	81	62	578	18	110	30	958	69
	Surat	307	3,152	3,459	8	365	4	1,468	166	788	...	208	42	3,037	419
	Broach... ..	121	1,190	1,311	1	90	...	300	88	377	...	56	6	1,118	192
	Poona	548	5,867	6,409	6	148	141	326	1,433	2,232	219	835	124	5,514	695
	Kurrachee ...	67	3,466	3,533	...	135	17	94	1,093	1,409	6	376	84	3,347	186
	Total ...	1,449	17,792	19,234	25	1,155	174	2,061	3,143	6,963	261	2,118	267	16,941	2,269

* None—This includes cases otherwise disposed of.

Business of the Courts of Small Causes for 1877 and 1878.

Division.	Court.	1877.			1878.		
		Instituted.	Disposed of.	Pending.	Instituted.	Disposed of.	Pending.
	Ahmedabad ...	2,652	2,540	333	3,142	2,967	508
	Nadiád ...	1,002	1,065	72	975	958	89
	Surat ...	2,719	2,726	307	3,152	3,037	419
	Broach ...	779	769	121	1,190	1,119	192
	Poona ...	5,485	5,745	542	5,867	5,514	895
	Kurrachee ...	3,673	3,678	67	3,466	3,347	186
	Total ...	16,310	16,523	1,442	17,792	16,941	2,289

K.

Business disposed of by Officers exercising Small Cause Court powers, 1878.

DISTRICTS.	SMALL CAUSE COURTS.														REMARKS.	
	Suits remaining from last year.	Instituted in 1878.	Total for disposal.	Plaints rejected or returned.	Dismissed for default.	Withdrawn with leave.	Compromised.	Decreed on confession.	Decreed Ex-parte.	Dismissed Ex-parte.	Contested.		Total disposed of.	Pending.		
											Judgment for Plaintiff in whole or in part.	Judgment for Defendant.				
Ahmedabad ...	None.															
Kaira ...																
Surat ...																
Broach ...																
Panch Mahals ...																
Théna ...																
Kolába ...	954	5,657	6,611	5	45	15	523	400	3,874	155	535	41	* 5,602	1,009	* Includes 9 suits otherwise disposed of. † Includes 191 suits received by transfer. c Includes 180 suits transferred.	
Násik ...	1,060	† 5,341	6,401	2	239	12	390	429	2,709	72	410	112	c 4,555	1,846		
Khándesh ...	None.															
Ahmednagar ...	81	1,001	1,082	16	15	5	55	216	550	23	85	6	973	109	b Includes cases transferred to other courts.	
Poona ...	230	947	1,177	6	22	2	78	111	636	30	86	14	b 990	187		
Sholápur ...	None.															
Sátára ...																
Belgaum ...																
Kaládgi ...																
Dhárwár ...																
Ratnágiri ...																
Kánara ...	2,325	12,946	15,271	29	821	34	1,046	1,156	7,769	280	1,116	173	12,120	3,151		
Kurrachee ...																
Hyderabad ...																
Shikárpur ...																
Thar and Párkar ...																
Total ...																

L.

Average duration of Cases.

	DISTRICT JUDGES.				SUBORDINATE JUDGES.				SMALL CAUSE COURT JUDGES.				REMARKS.
	Contested.		Uncontested.		Contested.		Uncontested.		Contested.		Uncontested.		
	No. of cases.	No. of days.	No. of cases.	No. of days.	No. of cases.	No. of days.	No. of cases.	No. of days.	No. of cases.	No. of days.	No. of cases.	No. of days.	
Ahmedabad ...	13	451	80	305	681	253	4,507	103	729	45	3,196	33	
Kaira ...	6	478	43	195	903	184	5,991	64	...	...	...	...
Surat ...	10	590	16	244	706	276	2,666	151	245	183	2,792	45	
Broach...	2	520	11	463	548	398	3,316	159	62	116	1,056	118	
Panch Mahals ...	...	...	2	1	149	68	593	35	...	...	...	...
Thana ...	5	593	6	...	1,551	654	3,906	452	...	...	...	...
Kolaba...	2	558	4	75	1,234	384	2,110	213	...	...	...	...
Nasik ...	3	540	5	180	1,700	614	7,500	395	...	...	...	...
Khândesh ...	1	119	1	130	1,851	127	10,185	61	...	...	...	...
Ahmednagar ...	5	148	1	...	636	162	2,147	68	...	...	...	...
Poona ...	9	141	4	60	1,410	207	5,869	133	1,009	53	4,505	41	
Sholapur ...	...	*294	1	...	964	113	3,273	83	...	...	...	...	* This seems to be a mistake.
Sâtra ...	2	165	2	...	1,414	283	5,865	246	...	...	...	...	† Do.
Belgaum ...	...	†614	1	...	710	136	3,130	55	...	...	...	...
Kalâjgi ...	11	177	4	83	355	147	2,336	68	...	...	...	...
Dhârwar ...	11	518	2	...	632	890	3,567	718	...	...	...	...
Ratnâgiri ...	6	269	17	44	2,190	427	5,137	122	...	...	...	...
Kânara ...	1	817	...	...	689	152	1,582	77	...	...	...	...
Kurrachee ...	23	163	33	99	396	32	1,786	6	460	8	2,587	6	
Hyderabad ...	3	185	4	659	1,211	43	5,764	29	...	...	...	...
Shikârpur ...	4	55	4	160	1,187	79	4,757	33	...	...	...	...
Thar and Parkar ...	7	1	23	1	31	1	155	1	...	...	...	...
Total ...	129	7,431	259	2,704	21,148	5,610	76,142	3,252	2,505	405	14,436	243	
Average ...	...	354	...	123	...	256	...	149	...	31	...	49	

Cost of Establishments with Stamp Duty and Court Fees realized, 1878.

Districts.	Cost of Establishments, including Judges' Salaries.			Stamp Duty and Court Fees realized.			Surplus.			Deficit.		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
Ahmedabad	97,910	0	7	1,13,322	8	8	15,412	8	1	.....	
Kaira	54,959	15	5	67,748	10	0	12,788	10	7	.....	
Surat	97,174	18	7	90,458	0	0	.....			6,716	13	7
Broach	45,966	3	4	55,798	1	0	9,826	13	8	.....	
Panch Máhálé	10,988	0	0	9,421	10	0	.....			1,566	6	0
Thána	1,06,488	0	0	81,098	2	0	.....			25,389	14	0
Kolába	29,945	15	6	55,041	4	0	25,095	4	6	.....	
Násik	72,784	0	0	1,00,786	7	0	28,002	7	0	.....	
Khándesh	1,89,806	5	5	2,21,278	7	0	31,472	1	7	.....	
Ahmednagar	94,422	1	8	91,831	3	0	.....			2,590	14	8
Joona	1,20,982	2	11	1,55,612	11	0	34,629	8	1	.....	
Sholápur... ..	55,423	15	10	46,744	11	0	.....			8,679	4	10
Sátára	1,42,507	13	9	1,05,254	4	0	.....			37,253	9	9
Belgaum... ..	76,451	12	6	59,479	12	2	.....			18,972	0	4
Kaláđgi	44,316	8	9	32,226	1	6	.....			12,090	7	3
Dhárwár... ..	43,500	0	0	71,215	1	2	27,715	1	2	.....	
Ra tnáđiri	1,18,581	4	7	77,097	10	0	.....			41,483	10	7
Kánara	83,807	1	8	41,507	7	10	.....			42,299	9	10
Kurraohee	75,874	12	2	47,797	1	5	.....			28,077	10	9
Hyderabad	54,718	3	0	55,273	7	0	555	4	0	.....	
Thar and Párkar ... ..	.....			.....			.....			.....
Shikárpur and Upper Sind Frontier	56,276	10	7	57,050	6	0	773	11	5	.....	
High Court (Original Side)	4,79,199	5	9	2,87,341	4	0	.....			1,91,858	1	9
High Court (Appellate Side)	2,74,317	14	8	28,581	15	0	.....			2,45,735	15	3
Court of the Judicial Commissioner and Sadar Court of Sind	87,453	9	9	3,128	10	0	.....			34,324	15	9
Total ...	24,13,807	11	0	19,53,089	10	9	2,36,271	6	1	6,96,989	6	4

N.

Statistics of the Civil Courts, 1878.

Districts	District.	Area, square miles.	Population, male.	NUMBER AND GRADES OF COURTS.					Cost of Courts.	NUMBER OF ORIGINAL SUITS INSTITUTED.			Ratio of Suits to Population (per cent.)	Total Value of Suits (in Regular Courts).	Stamps and Court Fees realized.	Number of Regular Appeals (instituted.)	Miscellaneous original suits instituted (combined to Cases requiring a Judicial Finding and Order)	Miscellaneous Appeals instituted.
				Judges.	Additional Judges.	Subordinate Judges.	Munsifs.	Small Cause Courts.		Small Cause Court.	Suits.	Other.							Total.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
									Ra. Rs. P.						Ra. Rs. P.			
	Ahmedabad	1,929	829,837	1	1	5		2	97,910 0 7	4,117		8,350	9,467	1.1	9,34,769	1,18,322 8 8	134	
	Kaira	1,561	702,733	1		5			79,636 6 8			7,277	7,277	0	4,75,303	73,507 1 6	115	
	Surat	1,630	607,047	1	1	4		1	97,174 13 7	2,152		2,950	6,102	1.0	11,26,278	90,458 0 0	84	
	Broach	1,363	350,322						45,946 8 4	1,190		3,523	4,713	1.3	4,76,731	58,793 1 0	71	
	Panch Mahals	1,644	240,743						10,988 0 0			819	869	0.3	62,615	9,421 10 0	37	
	Thana	4,052	847,424	2	1	0			1,06,468 0 0			5,755	8,755	0.6	4,94,845	81,098 2 0	171	
	Kolaba	1,402	350,416						99,945 15 6			3,397	3,397	0.9	3,11,346	55,041 4 0	184	
	Nasik	7,155	734,366	1					72,784 0 0			10,002	10,002	1.3	8,32,532	1,00,748 7 0	178	
	Khandesh	10,102	1,024,642	1					1,39,006 8 8			18,161	18,161	1.7	15,15,309	2,21,276 7 0	193	
	Ahmednagar	6,647	771,838	1					94,422 1 8			7,848	7,842	1.0	9,64,946	91,831 3 0	159	
	Poona	5,040	917,235	1				1	1,90,943 2 11	5,867		8,500	14,367	1.5	10,96,230	1,55,412 11 0	172	
	Sholapur	4,579	718,134	2		4			55,423 15 10			5,178	5,178	0.7	5,30,776	46,744 11 0	97	
	Satara	4,911	1,041,002	2		9			1,32,507 13 9			7,868	7,868	0.7	8,81,348	1,05,223 12 0	216	
	Belgaum	5,143	878,750	1		4			76,451 12 6			4,040	4,040	0.4	4,39,174	57,472 3 2	154	
	Kaljat	5,095	816,137	1					44,316 8 9			2,713	2,713	0.8	2,46,658	32,225 9 6	37	
	Dharwar	4,544	941,137	1		4			43,500 0 0			4,270	4,270	0.4	6,72,316	71,215 1 2	142	
	Ratnagiri	2,709	1,019,116	1					1,18,528 4 7			6,440	6,440	0.8	5,03,769	77,047 10 0	579	
	Kanara	4,234	394,416	1		4			81,997 1 8			2,346	2,346	0.5	2,54,516	37,696 0 0	148	
	Karnatak	14,042	423,643	1				1	75,874 12 2	3,466		2,340	5,746	1.3	2,99,765	47,747 1 3	41	
	Hyderabad	9,635	751,947	1		4			54,718 3 0			7,064	7,064	0.9	5,29,049	55,211 12 0	41	
	Shikarpur	2,452	778,277	1					56,276 10 7			6,114	6,114	0.7	4,65,839	57,350 6 0	137	
	Thar and Parkar	12,729	140,761	1					9,831 10 3			174	174	0.0	20,740	157 9 0		
		116,568	13,694,346	30	5	104		5	16,22,836 13 8	17,792		122,002	139,984		1,32,98,898	16,34,037 13 9		

Note. — The column "Cost of Courts" includes the cost of Small Cause Courts.

JUDICIAL STATEMENTS—6—(CIVIL)

Statement showing the Number and Description of Civil Suits instituted against Government in the Civil Courts of the Districts in the Bombay Presidency in the Year 1878.

CLASS OF TRIALS.	SUITS FOR MONEY, INVESTMENTS SUITS BY THE SA. 500, COMPREHENSIVE OF SMALL CASES COVERED FROM "OTHER CASES."										SUITS UNDER THE HINDU LAW.										OTHER SUITS.										REMARKS.
	On written obligations.	On un-written.	On account stated.	Money had and received.	Goods sold.	Branch of Contract not mentioned above.	Rent not falling under the Rent Law.	Movable Property or Value thereof.	Damages.	Arrears of Rent with or without adjustment or cancellation of Lease.	Enhancement or abatement of Rent.	Relating to Dismutak.	Damages for extortion, or withholding revenue, or on account of illegal restraint or other causes.	For Potails or Kachoolas.	For adjustment or recovery of possession.	For recovery of money or accounts from Agents.	All other Suits under the Rent Law not included above.	Suits for immovable property.	Suits for specific performance of contract.	Suits to declare and establish rights to real property including pre-emption, foreclosure, &c.	Suits to declare and establish personal rights.	Suits for an account.	Suits relating to religious endowments.	Suits to set aside Judgments, Contracts, or Obligations on the ground of fraud.	Suits for dissolution of Marriage.	Suits for enforcement of matrimonial rights.	Suits for Partition.	Suits relating to Shipping.	Suits relating to Religion and Customs.		
District Judges, Assistant Judges and Subordinate Judges	6	3	3	1	..	..	3	..	2	..	3	..	2	..	2	..	14	..	3	16	..	..	..	..	..	..	..	..	..	..	..

JUDICIAL STATEMENTS—7—(CIVIL.)

Statement showing Value of Suits disposed of in the Civil and Revenue Courts of the Districts of the Bombay Presidency in the Year 1878.

VALUE OF SUITS	NUMBER OF SUITS DISPOSED OF IN DIFFERENT COURTS.					Total value of Suits.	REMARKS.
	Village Courts.	Small Cause Courts.	Subordinate Judges' and other Sub-Divisional Courts.	District Courts.	Superior Courts.		
1	2	3	4	5	6	7	8
<i>In Civil Courts.</i>							
						Rs. a. p.	
Not exceeding	5	1,382	4,015	9	.....	19,712 11 10	
" "	20	5,418	26,525	28	.....	4,46,635 7 6	
" "	100	7,741	65,167	63	.....	37,65,304 10 5	
" "	500	2,400	21,348	90	2	47,81,556 6 4	
" "	1,000	.....	1,891	39	.....	13,60,416 10 5	
" "	5,000	.....	892	30	.....	17,31,633 7 9	
" "	10,000	.....	43	12	.....	3,73,916 15 10	
" "	1,00,000	.....	32	13	.....	11,35,517 13 3	
Exceeding	1,00,000	.....	3	.....	.....	6,08,165 2 2	
Total ... ..	.....	16,941	1,19,916	284	2	1,42,25,859 5 6	
<i>In Revenue Courts.</i>							
						Rs. a. p.	
Not exceeding	5	.....	1,083	.....	.....	3,362 4 3	
" "	20	.....	1,216	.....	.....	16,106 1 1	
" "	100	.....	2,263	.....	.....	1,16,899 3 9	
" "	500	.....	1,139	.....	.....	1,92,101 10 10	
" "	1,000	.....	71	.....	.....	52,523 9 10	
" "	5,000	.....	21	.....	.....	43,141 11 9	
" "	10,000	.....	.....	.....	.....	.....
" "	1,00,000	.....	1	.....	.....	17,456 8 2	
Exceeding	1,00,000	.....	.....	.....	.....	.....
Total in Revenue Courts ... ..	.....	.....	5,794	.....	.....	4,41,596 1 8	
Grand Total ... ..	.....	16,941	1,25,710	284	2	1,46,67,455 7 2	
Result in 1877 ... ..	.....	21,610	1,21,007	222	.....	1,54,22,500 5 4	

JUDICIAL STATEMENTS—8—(CIVIL)

Statement showing the General Result of the Trial of Civil Suits in the Courts of Original Jurisdiction in the Province of Bombay in the Year 1878.

CLASS OF COURTS	Suits remaining from last year.	Instituted in 1878.	Received by Transfer.	Total for Disposal.	Transferred to other Courts.	Plaints Rejected or Returned.	Dismissed for Default.	Withdrawn with Leave.	Compromised.	Decreed on Confession.	Decree & Experte.	Dismissed Experte.	Costs.		Total disposal of.	Pending.	Over 3 Months.	Over 4 Months.	AVERAGE DURATION OF SUITS.		Referred to Arbitration.	REMARKS	
													Judgments for Plaintiff in whole or part.	Judgments for Defendant.					Contested.	Uncontested.			
Village Courts	1,447	17,792	—	19,239	—	25	1,133	174	2,081	2,163	6,998	261	2,118	227	16,911	2,290	233	178	73	44	—	a The Judge of Thana has not supplied figures, suits disposed of by the Sub-Judges of that District in their Small Cause Court Jurisdiction being included by him under said Sub-divisional Tribunals.	
Small Cause Courts (M. Amal)	16	173	—	189	—	—	—	—	—	—	—	—	31	3	138	71	4	43	171	100	—		
Unpaid Local Tribunals	76	—	—	76	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		—
Paid Sub-divisional Tribunals	27,773	107,319	708	135,790	1,819	231	8,333	645	12,430	9,643	51,038	1,265	17,775	2,373	107,300	29,048	7,412	10,133	258	150	403		
<i>Do.</i> exercising Small Cause Court Jurisdiction (c)	2,375	12,742	391	13,568	193	39	321	34	1,044	1,156	7,769	280	1,116	173	12,130	2,151	769	314	77	67	—		
District Courts other than Chief Courts of Districts	44	14	—	58	14	1	7	6	11	1	4	—	34	30	91	54	10	33	27	164	—		
Chief Courts of Districts	1,174	223	23	1,420	88	47	7	7	22	32	27	—	84	31	323	1,096	50	1,066	409	154	11		
Commission Magistrates	81	1,846	—	1,927	—	—	117	85	74	96	1,199	48	33	16	1,642	64	1	—	21	13	—		
Superior Courts of General Jurisdiction	799	8,867	—	9,666	—	—	223	6	76	23	108	7	80	40	4,617	649	59	756	213	125	9		
Superior Extraordinary Jurisdiction	—	—	1	1	—	—	—	—	—	—	—	—	1	—	1	—	—	—	144	—	—		
Superior Courts of Special Jurisdiction	Admiralty	7	—	7	—	—	—	—	—	—	—	—	—	—	7	—	—	—	2	—	—		
	Testamentary	9	—	18	—	—	—	—	—	—	—	—	—	—	9	11	—	—	1	128	—		
	Matrimonial	3	—	4	—	—	—	1	—	—	—	—	—	—	1	2	—	—	—	70	—		
	Land Matrimonial (Insolvent)	1,145	863	—	1,718	—	—	19	8	—	—	311	1,159	24	1,531	179	54	79	92	—	—		
Total	34,877	141,368	1,008	177,631	1,818	225	10,190	937	16,331	14,126	67,638	4,040	21,300	4,066	140,714	36,853	9,075	12,637	165	100	433		
REVENUE COURTS																							
Unpaid Local Tribunals	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Paid Sub-divisional Tribunals	223	6,412	59	6,694	51	282	696	1,040	314	460	301	167	2,108	953	6,463	223	256	103	84	24	—		
Courts of Collectors	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—		
Total	223	6,412	59	6,694	51	282	696	1,040	314	460	302	167	2,108	953	6,467	223	256	104	47	22	—		
Grand Total	35,099	147,865	1,068	183,725	1,869	708	10,886	1,977	16,645	14,586	67,940	4,207	23,368	5,018	147,181	37,075	9,331	12,741	165	87	433		
Result in 1877	29,943	145,892	2,843	188,878	2,715	689	11,986	2,540	16,348	16,165	68,600	2,125	24,686	5,958	153,179	35,823	10,340	14,859	202	143	491		

JUDICIAL STATEMENTS—9—(CIVIL.)

Statement showing the business of the Civil and Revenue Appellate Courts of the Province of Bombay in the Year 1878.

6-1881

CLASS OF COURT.	Remaining.	Instituted.	Received by transfer.	Total.	Transferred.	Dismissed for default, or under 5 and 6, Act XIII. of 1861.	HEARD EX-PARTE.			CONFIRMED.				Total disposed of.	Pending.	Over 4 Months.	Objections under Section 349, Act VIII. of 1859.	Objections allowed.	REMARKS.
							Confirmed.	Modified.	Reserved.	Confirmed.	Modified.	Reserved.	Remanded.						
Civil Appellate Court other than Chief Court of District.	723	139	1,143	2,005	705	21	28	16	15	326	83	101	36	1,349*	654	485	10	7	* In some districts appeals otherwise disposed of have been included.
Collector's Appellate Court ...	...	99	...	99	...	...	80	...	18	1	...	...	...	99	...	...	...	...
Chief Appellate Court of District ...	2,614	2,861	509	5,984	936	85	176	17	27	1,300	260	309	133	3,199	2,685	1,707	58	18	
Superior Appellate Courts other than Chief Courts of Province, each class of Courts being specified.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Court of Province	Regular Appeal from Judge or Bench in Original Jurisdiction	22	36	...	58	...	4	...	...	11	7	13	1	36	22	11†	...	...	† References from from Small Causes Court, 9 disposed of.
	From District Courts ...	75	49	...	123	...	6	...	...	41	15	8	4	74‡	42	30	14	3	‡ 40 Appeals on the Appellate Side were otherwise disposed of.
	Miscellaneous Appeals ...	30	42	...	72	...	...	...	...	11	2	3	4	24	23	9	1	...	
Special Appeals ...	191	449	...	640	...	...	189	...	3	178	27	41	31	468	160	83	15	3	
Total	3,672	3,706	1,652	9,030	1,641	116	485	33	61	1,883	397	490	212	5,292	3,605	2,337	94	31	
Result in 1877	3,035	4,324	1,135	8,514	1,130	147	309	47	61	1,990	355	473	212	4,769	3,677	2,411	107	43	

13