

FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B. II Semester

SUBJECT: HISTORY II

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NAME OF FACULTY: Dr. SADHNA TRIVEDI

Lecture-11



Supreme Court of 1774

The Court's first judges were:

- Sir Elijah Impey, Chief justice from 1774 to 1783 on his recall to England for impeachment.
- Stephen Caesar Le Maistre, Puisne judge from 1774 to 1777 on his death.
- John Hyde (judge), Puisne judge from 1774 to 1796 on his death.
- Robert Chambers, Puisne judge from 1774 to 1783, Acting Chief Justice from 1783 to 1791. Chief Justice from 1791-1798, on his resignation.
- Sir William Jones, Puisne judge from 1783 to 1794 on his death.
- Sir William Dunkin, Puisne judge from August 14, 1791 to unknown.

SUPREME COURT OF JUDICATURE, 1774

On March 26, 1774, a Charter of Justice was granted for the establishment of the Supreme Court at Calcutta King George III. The Supreme Court was established on 22nd. October, 1774, and began functioning In January, 1775. It is the 1st attempt in creating a separate and independent judicial system in India.

This Supreme Court consisted of one Chief Justice and three other regular judges or Puisne Judges. The Judges had to be Barrister-at-Law of England or Ireland of not less than five years' standing. The charter appointed Sir Elijah Impey as the chief justice and Robert Chambers, Stephen Caesar Lemaitre and John Hyde as puisne judges who were appointed by the king.

Also, under Clause XVIII of the first Charter ordained that 'the Supreme Court should be a court of equity, and shall and may have the full power and authority to administer justice, in a summary manner, as nearly as may be, according to the rules and proceedings of our High Court of Chancery in Great Britain'. This court had the power to exercise of all the cases related to civil, criminal, admiralty, and ecclesiastical matters. Especially in criminal cases, the court has to act as court of oyer and terminer and goal delivery for the Town of Calcutta and the factories subordinate thereto, and was to use grand jury as well as petty jury consisting of British subjects residing in the Town of Calcutta.

