

FACULTY OF JURIDICAL SCIENCES

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

SUBJECT: HISTORY II

SUBJECT CODE: BAL-202

NAME OF FACULTY: Dr. SADHNA TRIVEDI

Lecture-8



Mayor's Court of 1726

The **Mayor's Court** was established in India in by The **Charter of 1726** at Madras, Calcutta and Bombay which were **East India Company's** Highest Courts in British India. The East India Company till 1726 had no power to manage Capital Offences and Capital Punishments, to all the Presidencies with only Civil Jurisdiction being applicable. The Charter was issued by King George on Twenty Fourth September (1726) to the Company. Mayors Court was specially empowered to hear cases against The Company.

The requirement of Establishing Mayor's Court:

- The need for establishing a **Mayor's Court** was felt as before 1726 different judicial systems were working in British India.
- Since there were different Judicial Systems the servants of The East India Company at different settlements were governed by a different set of rules.
- Thus, there was a lack of uniformity in The Justice System and the same offence would carry a different punishment at different settlements.
- There was an absence of a Competent Court in India which could Supersede all the other courts.

Features of The Charter:

- It established a local Court in each of The Presidency Towns at Madras, Calcutta and Bombay.
- The Governor-in-Council of each Presidency Town was given the power to make by-laws, rules and regulations for better settlement of the disputes arising in the Presidency.
- Each Presidency had a Corporation which consisted of **Nine Aldermen and a Mayor**.
- The Person appointed as The **Mayor** could maximum be a mayor for one year and after that had to continue as an Alderman.
- The Vacancy against The Mayor's position was to be filled amongst the Aldermen who was in turn recommended by the outgoing Mayor and The Aldermen.

Changes in the Judicial System:

The **Charter of 1726** changed the Judicial System in the following ways

- It Established a separate Civil and Criminal Court at each of The Presidency Towns at Madras, Chennai and Bombay.
- It Constituted a **Mayor's Court** for each of The Presidency Towns.
- The Court's were as powerful as The Royal Courts whose source of Authority came directly from The Crown which was regarded as a Fountain of Justice.
- The Charter initiated a System of Appeals from the courts in India to The King-in-Council/Privy Council in England.