

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	304	Press Mis.
- 35 -		
Dated	5-3-	19. 1859

Not to be folded or roughly handled

*Jud. Recd
20/1/30*

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Fort St. George, Judicial Consultation, 8th March 1859.

No. 35. Read the following Extract from the Minutes of Consultation, dated 5th March 1859, No. 304.

The Governor in Council proceeds to pass orders on such portions, as require notice, of the Despatch from the Right Honorable the Secretary of State for India, dated 12th January, No. 1 of 1859.

Paras. 4 to 8. Considers the prompt manner in which the disturbance in Bellary in June 1858, was suppressed as creditable to the Magistrate and to the Field Force under the command of Major Hughes. Notices the discrepancy in the number of the rebels stated to have been executed by sentence of Court Martial—the number being given as 77 in Major Hughes' letter to the Adjutant General of the Army, dated 7th June, and as 78 in the Proceedings of the Court Martial. Observes with regret the remarks by the Court Martial appended to the proceedings of the 4th June, and does not think they assign a proper cause for the infliction of capital punishment on the 5 prisoners sentenced on that date.

Para. 11. Considers the steps taken by the Agent in Vizagapatam to prevent collision between the adherents of the Zemindar of Bobilly and the Rajah of Vizianagrum in the passage of the former, through the town of Vizianagrum, to have been most judicious, and hopes that the event is an earnest of the cessation of the ancient and bitter feud between the families.

Para. 16. Suggests that the correspondence on the proposed legislation on the subject of the Registration of Deeds and other Documents should be transmitted to the Government of India, and in the meantime that the preparation of the Draft Act should be suspended.

Paras. 19, 20 and 21. Requests to be furnished with a statement of the causes which led to the prolonged imprisonment of Sooma Soondo Deo, a deceased State prisoner, and calls attention to the discrepancy between the amount of Rupees 20 per mensem of the pension to his family, for which the sanction of the Government of India was requested, and the smaller proportion Rs. 15, allowed by that authority, apparently under the erroneous impression that the grant of the smaller amount had been suggested.

6. In regard to para. 21, the Government do not suppose that the Supreme Government was under any erroneous impression as to the wishes of the Government of Madras, when they (the former authority) sanctioned the pension in question. The Supreme Government are far from invariably following the suggestions of the Government of Madras, in matters of this nature.

Para. 23. Approves of the Court of Sudder Udalt issuing a Circular Order warning all Officers, who may not conform to the rules prescribed for the security of money and other valuables deposited in their Courts, that they will be left to bear the loss which may arise from their own neglect.

Paras. 29 and 30. Observes that this Government declined to pass orders, interfering with the procession of Idol Cars in the town of Coimbatore, and suggests a reference to the Government of Bengal on the subject, with the view of ascertaining the effects of the prohibition, which, it is observed, the Collector of Coimbatore understands to be in force at Calcutta against the passage of such processions through the public streets.

Paras. 33 and 34. Concurs with the decision of this Government as to the construction of small Jails for temporary purposes as being both costly and at variance with the system advocated and approved, of confining prisoners sentenced to long terms of imprisonment, in large central Prisons rather than in small District Jails.

Paras. 1 to 3, 9, 10, 12 to 15, 17, 18, 22, 24 to 28, 31, 32, 35 and 36.

2. These paras. will be communicated to the Magistrate of Bellary, and, through the Military Department, to Major Hughes and to the President and Members of the Court Martial referred to. The attention of these authorities will be called to the discrepancy pointed out, which, it has been remarked, becomes important as human life is in question. Their attention will also be called to the animadversion in the concluding para.

3. To be communicated to the Agent in Vizagapatam, who will convey to the Rajah of Vizianagrum, and the Zemindar of Bobilly, the sentiments expressed by the Right Honorable the Secretary of State.

4. It is observed that the Draft Act in question has already been transmitted to the Member for Madras of the Legislative Council.

5. Ordered that paras. 19 and 20 be communicated to the Collector of Vizagapatam, who will furnish such information as the Records of his office enable him to supply. He will also state, in what degree the late State prisoner was kept under restraint. It appears that he demised in the Jail.

7. Copy of this para. will be furnished to the Judges of the Sudder Udalt.

8. A reference will be made accordingly to the Government of Bengal.

9. These paras. will be communicated to the Inspector General of Jails.

10. These paras. need no remark.

(Signed) T. PYCROFT,
Chief Secretary.

Extract from the Minutes of Consultation.

Dated 5th March 1859.

The Governor in Council proceeds to pass orders on such portions, as require notice, of the Despatch from the Rt. Honble the Secretary of State for India, dated 12th January, No. 1 of 1859.

Paras 4 to 8. Consider the prompt manner in which the disturbances in Bellary in June 1858, was suppressed as creditable to the Magistrate & to the Field Force under the command of Major Hughes. Notices the discrepancy in the number of the Rebels stated to have been executed by sentence of Court Martial - the number being given as 77 in Major Hughes' letter to the Adjutant General of the Army dated 7th June, & as 78 in the proceedings of the Court Martial. Observed with regret the remarks by the Court Martial appended to the proceedings of the 4th June, does not think they assign a proper cause for the infliction of capital punishment on the 5 prisoners sentenced on that date.

2. These paras will be communicated to the Magistrate of Bellary, & thro' the Milly. Dept., to Major Hughes & to the President & Members of the Court Martial referred to. The attention of these authorities will be called to the discrepancy pointed out, which, it has been remarked, becomes important as human life is in question.

Their attention will also be called to be an inadvertence in the concluding Para.

Para.

23. Approves of the Court of Sud-
der Udahut issuing a Circular
order, warning all Officers, who
may not conform to the rules
prescribed for the security of mo-
ney & other valuables deposited
in their Courts, that they will be
left to bear the loss which may
arise from their own neglect.

Paras 29 & 30. Observes that this Govern-
ment declined to pass orders inter-
fering with the processions of Idol
Cars in the town of Coimbatore, &
suggests a reference to the Govt.
of Bengal on the subject with
the view of ascertaining the ef-
fects of the prohibition, which, it
is observed, the Collector of Coim-
batore understands to be in force
at Calcutta against the passage
of such processions thro the public
streets.

Copy of this para will be
furnished to the Judges of
the Sudder Udahut.

A reference will be
made accordingly to the
Govt of Bengal.

Paras 33 & 34. Concurs with the
decision of this Govt. as to the
construction of small jails
for temporary purposes as be-
ing both costly & at variance
with the system, advocated &
approved, of confining prisoners,
sentenced to long terms of im-
prisonment, in large Central
Prisons rather than in small
District jails.

These paras will be com-
municated to the Inspector
General of Jails.

Paras. 1 to 3, 9, 10, 12 to 15, 17, 18,
22, 24 to 28, 31, 32, 35, & 36-

These paras need no re-
mark.

Despatched — *Mc*

To the Magistrate of Bellary	Para 4 @ 8	2
Subj. Dept		
Agent at Bellary	11	3
Coll. of Bellary	19 & 20	5
Sud. Udahut	23	7
Inspr Gen of Jails	33 & 34	9

Total 8

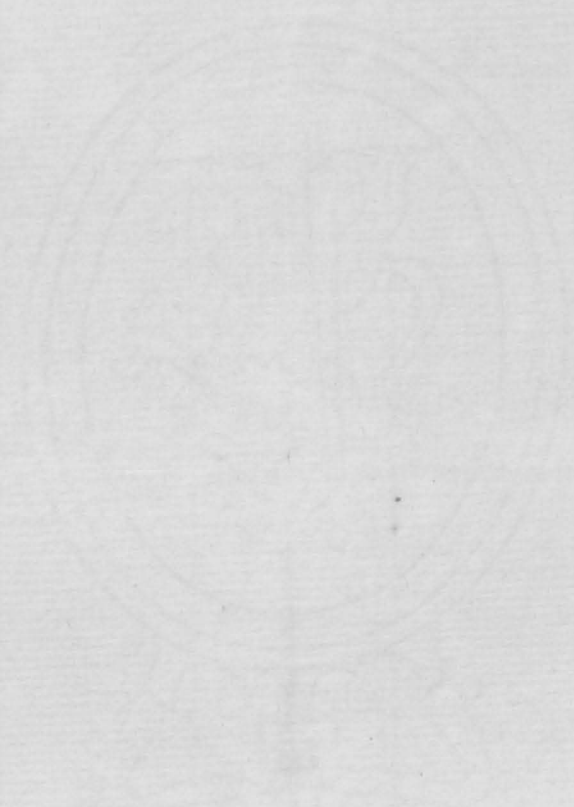
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Orders on Disputed
No. 1 dated 12 Jan'y 1859.

S. H. J.

July 6th & 8th March

Provincial 1859 Report

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Extracts Minis. of Cons.

29th March 1859.

30-10-1859

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