

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1466	Press
		~~Mis.~~
	3-4	
Dated	11-11-	1918.57

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 17th November 1857.

No. 3. Read the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Sudder Udalut; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 27th October 1857, No. 107.

SIR,

1. I am directed by the Judges of the Foujdaree Udalut to state, in reference to para. 10 of the Extract from the Minutes of Consultation, under date the 1st Instant, received on the 23rd Instant, that they will report on the operation of their Circular Order of the 3rd April 1856, in submitting their next annual returns.

2. With respect to para. 13 of the Government Minutes, the Judges direct me to state that the superior judicial officers are required, by the Circular Order, Foujdaree Udalut, dated 12th November 1856, to explain the causes of delay in criminal trials, whenever it exceeds two days, and that it is always the practice of the Criminal Courts to notice any delay in the committal of cases which is not properly accounted for. In many instances, however, some delay must necessarily occur; as, where the accused party absconds, or any of the parties is ill and unable to travel, or where the Magistrate or Police Officer is at a distance when the commission of the offence is reported to him.

3. In regard to the memorial of John Toomey, the Judges instruct me to point out that to call upon the Civil Judge of Calicut for a report on the case, could not lead to any practical result; because it is clear on the face of the petition, that the petitioner's claim has been disposed of by two regular Decrees of Court, the last of which has long since become final; and it is not competent to the Sudder Udalut, or any other authority, to disturb the decisions passed in the matter.

(Signed) C. F. CHAMIER,
Acting Register.

No. 4. ORDER THEREON, No. 1466; dated 11th November 1857.

In para. 2 of the foregoing letter, the Foujdaree Udalut, (with reference to paras. 66 to 70 of the Honorable Court's Despatch, No. 10 of 1857, communicated to them in para. 13, Extract Minutes Consultation dated 1st October, No. 1265) state that their C. O. of the 12th November last, contains provisions well calculated to detect all cases of delay in the disposal of criminal charges, and that serious notice is taken in every instance where such default is other than unavoidable. The Honorable Court will be informed of this.

2. Adverting to para. 71 of the same Despatch, the Sudder Udalut observe, that no enquiries into the case of *John Toomey*, the individual whose petitions to Her Majesty were forwarded to Government by the Honorable Court, can be attended with any practical result. The claims advanced by him have been judicially settled, and the judgment has long since become final. The Honorable Court will be informed of this also.

(Signed) T. PYCROFT,
Chief Secretary.

Encd. F. Cartledge

John Toomey, the individual whose

Judicial Dept

No 1466

E.M.C. under date 11 November/57

the following letter

of Regt. Luder & F. Udalut

} here under
No 107
of 27th Oct/57.

In Para 2 of the foregoing letter,
the Foundress Udalut (with reference
to Paras 66 to 70 of the H. Co's Des-
patches No 10 of 1857 communi-
cated to her in Para 13 E.M.C. of
1st October No 12 65) state that
her C.O. of the 12th November
last contains provisions well cal-
culated to detect all cases of delay
in the disposal of Criminal charges,
and that serious notice is to be
taken in every instance where such
default is often unavoidable.
The Honble CoE will be informed of
this.

2- Adverting to Para 71 of the same
Despatches, the Ludden Udalut ob-
serve that no enquiries into the case
of John Toomey, the individual whom

Aug. 6th Tues. 17th Nov.

Radical 1857 & Hunt.

Ms. A. 9.2.11.5

Isaac Morris of Bond

28/11-28 November/57.

C. No. 8
610757

3 K 4