MAR. 0. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 958 Press Mis.

8-9

Dated 5 — 8 — 19 1857

Not to be folded or roughly handled

No. 8. Read the following letter from W. ROBINSON, Esq., Acting Magistrate of Malabar; to E. MALTBY, Esq., Acting Chief Secretary to Government, Judicial Department, Fort St. George, dated Calicut, 25th July 1857, No. 104.

SIR,

With reference to the letters noted in the margin, I have the honor to submit for the information, and if necessary, for the further orders of Government, the accompanying Extract from the Proceedings of the Foujdaree Udalut, dated 6th July, setting aside the order of the Special Assistant Magistrate and Session Court of Calicut in the case of Manjerry Koonyee Hamud, Soobadar of the Malabar Police Corps.

To Government,	dated 12th March 1857,	No. 41.
To do.	dated 18th March 1857,	No. 45.
To do.	dated 8th April 1857,	No. 56.
From do.	dated 19th May 1857,	No. 588.
To do.	dated 6th June 1857,	No. 97.
From do.	dated 22nd June 1857,	No. 703.

(Signed) W. ROBINSON,
Acting Magistrate.

Extract from the Proceedings of the Foujdaree Udalut under date the 6th July 1857.

Read Miscellaneous Petition presented on the 22nd June 1857, by J. B. Norton, Esq., Pleader on behalf of Munjerry Coonhi Ahmod Koorikut and another, Zillah Calicut.

1. The petitioners appeal from the order of the Session Court of Calicut, dated the 16th March 1857, confirming that of the Special Assistant Magistrate, sentencing them to produce 2 sureties in the sum of 250 Rupees each, for their good behaviour for one year, on a charge of torturing the complainant on account of some hidden treasure.

2. The Court of Foujdaree Udalut resolve to set aside the order complained against.

3. The Special Assistant Magistrate had no legal authority to make the demand for the security he did, as clearly explained by Circular Order of the 7th July 1831, B.

4. The case was one beyond the jurisdiction of a Magistrate, acting under the provisions of Section LIV, Act VII of 1843 and consequently the provisions of Circular Order No. 173, are inapplicable to this case.

5. The Court of Foujdaree Udalut accordingly direct the immediate release of the petitioners, and should security bonds have been executed by them, they are directed to be forthwith cancelled.

(True Extract.)

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

(True Copy.)

(Signed) H. D. COOK,
Session Judge.

To the Acting Magistrate of Malabar for his information.

(True Copy.)

(Signed) W. ROBINSON,
Acting Magistrate.

No. 9. ORDER THEREON, No. 958; dated 5th August 1857.

As the Foujdarry Adawlut have declared that the Special Assistant Magistrate was not authorised to demand security, Government direct in reference to their Order of 22nd June No. 703, that the Subadar and Havildar be allowed to return at once to their duty.

(Signed) E. MALTBY,
Acting Chief Secretary.

Judicial Department

No 958

Extract from the Minutes of Consultation
Dated 5th August 1837.

Read letter from Lieut Hayte
of Malabar 25th July/37 - No 102

As the Inquiry directed
have declared that the Specie
Offer Hayte was not authorized
to remit Government Bonds
in exchange for Coin under date 26th June No 705
Resolved that the Malabar
Resolution be altered to
Return at once to Bombay
Rupees - Five

To the Brig of Malabar - Dispd 5th
" Lt of the Coy & Detail Dispd 10th

Nat. Lt to Esq. 24 Dec
1857 Case 19

Judicial 1857 Department

No 958

Extract Minute of Comrs

15th August 1857

P 49