M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. Press ~~Mis.~~

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		1857	
1	From the Acting Session Judge of Madura.	11th Novr....	Enquires whether he is empowered to act also as a Commission for the trial of heinous offences.
2	Order thereon.....	18th Novr....	Notice that a Commission under Act XIV of 1857, has been issued to Mr. Phillips.
3	From the Commissioner of Police.	30th Octr.....	Explains what notice is taken of any misbehaviour on the part of the Police Officers who attend the Courts of the several Magistrates.
4	Order thereon.....	18th Novr....	Consider the explanation to be sufficient.
5	From the Commissioner of Police.	7th Novr....	Submits an Estimate of the cost of making up the clothing for the mounted branch of the Madras Police Force, amounting to Rupees 2,813-3-11.
6	Order thereon.....	18th Novr....	Sanction the expenditure.
7	From the Inspector of Prisons.	29th Octr.....	In reply to a reference, submits that the construction of the Central Jail at the Red Hills should be proceeded with gradually. Suggests certain alterations and refers to some overcharges in the Estimate.
8	Order thereon.....	18th Novr....	Approve the suggestion of Mr. Rohde, that the construction of the Jail should be proceeded with gradually, and request the opinion of the Chief Engineer on the suggestions made by Mr. Rohde.
9	Minutes of Consultation.....	18th Novr....	Orders on a Despatch from the Honorable Court, dated 5th October, No. 14 of 1857, relative to the modification of the provisions of Act XXV of 1857, in view to enable this Government to create a Sub-Court at Ootacamund.
10	To the Member for Madras of the Legislative Council.	18th Novr....	Forward to him copy of the correspondence which has passed between the Honorable Court, and this Government, in respect to Act XXV of 1855, and call his attention to the modification suggested by that authority.
11	From the Session Judge of Masulipatam.	13th Novr....	Reports the shipment for Madras on board the *Defiance* of two Convicts sentenced to transportation by the authorities at Hyderabad, and also of an insane person from the Zillah Jail Hospital.
12	Order thereon.....	18th Novr....	Communicated to the Commissioner of Police, who will make arrangements for landing the Convicts; and the Marine Board instructed to provide a passage to Penang for two of the prisoners and to arrange for the transfer of the insane patient to the Lunatic Asylum.
13	From the Resident at Hyderabad.	30th Octr. ...	With reference to the mortality which has prevailed amongst the prisoners at Nuldroog, recommends that they be distributed amongst the neighbouring Zillah Jails in the Company's Territories, the assigned Districts being charged for the expenses of their maintenance.
14	Order thereon.....	18th Novr....	Referred to the Inspector of Prisons for his opinion.
15	From Mr. R. C. Lewin, Acting Subordinate Judge of Bellary.	13th Octr. ...	Represents the injustice of the orders issued by Government for the recovery from him of a portion of the pay of Vencatramiah, Sheristadar of the Subordinate Court of Salem, for the period of his temporary exclusion from office.

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16	Order thereon.....	19th Novr....	Disapprove the highly unbecoming manner in which Mr. Lewin has addressed the Government, but abstain for reasons given, from enforcing the orders referred to; direct the payment to the Sheristadar of that portion of his salary which he would have drawn if absent on leave, and the charging for the same among the contingent expenses of the Court.
17	From Mr. Cherry, Commissioner under Act XIV of 1857, Salem.	28th Octr. ...	Forwards as directed the whole of the proceedings of the Police, in case No. 4 on the Commissioner's file, also the record of case No. 68 of 1857, on the Calendar of the Subordinate Judge.
18	Order thereon.....	19th Novr. ...	Under circumstances of the case, are of opinion, that the conviction of the prisoners cannot be sustained, and direct their immediate release.
19	From the Government of India.	15th Octr.....	Forward copy of a correspondence with the Bengal Government on the subject of the Arms Act and desire that the provisions of Section XII to XXIII may be brought at once into operation throughout the Madras Presidency. Also request to be furnished with the views of this Government as to any further steps that should be taken to give effect to the Act in this Presidency.
20	From the Commissioner of Police.	30th Octr...	Submit as directed, their opinion on the desirableness or otherwise of calling for a registry of Arms in the Districts forming their respective charges and on the arrangements required to be made for bringing Sections I to VI of the Arms Act into operation, and also on the period that should be allowed for complying with the provisions of Section XXVI when brought into operation.
21	From the Officiating Agent at Kurnool.	29th Octr...	
22	From the Magistrate of Tinnevelly.	6th Novr..	
23	From the Acting Magistrate of Malabar.	31st Octr..	
24	From the Magistrate of Trichinopoly.	13th Novr..	
25	From the Acting Magistrate of Masulipatam.	31st Octr...	
26	From the Acting Magistrate of South Arcot.	28th Octr...	
27	From the Magistrate of Coimbatore.	3rd Novr..	
28	Order thereon.....	19th Novr.....	Direct that the following letter be despatched.
29	To the Government of India.	19th Novr.....	Report that the whole Act with the exception of Sections I to VI and XXVI was declared to be in force within the Territories subject to the Madras Government, and with regard to the remaining Sections of the Act or those relating to the registry of Arms, communicate the views of the several Magistrates on the subject. Propose at present to enforce the registry throughout the Town of Madras, postponing the introduction of the measure into the Provinces to a future period when it may be called for. Intimate that they would wish to enforce the provisions of Section XXVI at once throughout the whole of the Presidency.
30	From the Superintendent, Government Press.	5th Novr.....	Reports as directed, the amount of the establishment and quantity of type, &c. that would be required for the establishment of a separate Press to print the Proceedings of the Sudr Udalut, and states that the Judges concur with him as to the desirableness of attaching their Press Department to the Government office.

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31	Order thereon.....	19th Novr.....	Direct that the amount of the estimated value of the stock required, viz. Rupees 3,902-4-8 be placed at the disposal of Mr. Smith. Notice that the Superintendent has satisfied the Judges that it will be in every way preferable to have the Press attacked to the Government office.
32	From the Acting Magistrate of Masulipatam.	14th Novr.....	Is satisfied from reports that the Rohillas who lately attacked Juggiapettah are a well organized body and conduct their operations under Sirdars; and submits the necessity of calling upon the Nizam's Government to adopt severe measures for the punishment of the offenders.
33	To the Resident at Hyderabad.	20th Novr.....	Forwards the foregoing communication.
34	From the Inspector General of Ordnance and Magazines.	21st Octr.....	With reference to a communication from the Superintendent Gun Carriage Manufactory, brings to notice the defective state of the law in regard to the position and rights of master and servant, and suggests that the Artificers employed by Government be admitted to the benefits of the pension list, as an inducement to them for continuing on the establishment.
35	Order thereon.....	20th Novr.....	Do not think it probable that the Legislative Council would listen to any application for a change in the Law; and are not at present prepared to consider Colonel Balfour's propositions for pensioning the Artificers.
36	From Mr. Harris, Commissioner under Act XIV of 1857, Chittoor.	31st Octr.....	Forwards the record of a case of highway robbery disposed of by him under the Act.
37	Order thereon.....	20th Novr.....	Remit a portion of the sentence. Notice that the case might have been disposed of by the ordinary criminal Courts and call the attention of the Magistrate to the orders of the 25th August last.
38	From the Magistrate of Salem.	6th Novr.....	Under circumstances stated, recommends the dismissal of Mullar Row, the Tahsildar of Raizepoor, from his situation.
39	Order thereon.....	20th Novr.....	Authorize the dismissal.
40	From the Inspector of Prisons.	6th Novr.....	With reference to an application from the Sessions Judge of Masulipatam, solicits sanction for the payment of a reward of Rupees 100 for the apprehension of a certain convict Hoossain Shah, who escaped while on his way from Secunderabad.
41	Order thereon.....	20th Novr.....	Sanction the payment of the reward and direct that the amount be dibited to the Hyderabad Government.
42	From the Inspector of Prisons.	6th Novr.....	Under circumstances of the case, states that 60 Convicts can be spared from the Jail at Trichinopoly for the levelling of the Pootoor lines.
43	Order thereon.....	20th Novr.....	Communicated to the Military Department.
44	From the Government of India.	28th Octr.....	Communicate the Honorable Court's approval of the life pension of Rupees 30 per mensem granted to the daughter of the late Pedda Juggiah.
45	Order thereon.....	20th Novr.....	Communicated to the Collector of North Arcot, the Accountant General, and the Civil Auditor with reference to Extract Minutes Consultation of the 20th May 1856, No. 548.
46	From the Acting Collector of Malabar.	6th Novr.....	Forwards a letter from the Commandant Malabar Police Corps, soliciting sanction for the

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			expense incurred in making up Cavalry grey trowsers for the Corps for the year 1855, amounting to Rupees 114-5.
47	Order thereon.....	20th Novr.....	The expense sanctioned.
48	From the Inspector of Prisons.	7th Novr.....	Forwards a letter from the Acting Subordinate Judge of Salem, soliciting sanction for the expense incurred by the employment of 24 additional Peons to guard the prisoners under his charge during the Mohurrum festival, amounting to Rupees 78-2.
49	Order thereon.....	20th Novr.....	The expense sanctioned.
50	From Mr. Cherry, Commissioner under Act XIV of 1857, Salem.	9th Novr.....	In transmitting the record of a case disposed of by him, enquires whether under Section X of the Act the power to commit for trial applies to the Police.
51	Order thereon.....	20th Novr.....	Observe that the question put by Mr. Cherry has been answered in a Circular Order of Government of the 17th Instant.
52	From the Commissioner of Police.	14th Novr.....	Requests that the Barrack Master may be instructed to receive on the list of public building a water Choultry made over by the inhabitants of Egmore for the purposes of a Tannah, and to cause it to be repaired in the usual way.
53	Order thereon.....	20th Novr.....	Referred to the Department of Public Works.
54	Minutes of Consultation.....	20th Novr.....	Sanction the Indent for rattan floor mats for the Royapettah Police Court, submitted by the Inspector General of Ordnance and Magazines.
55	From the Court of Sudr Udalut.	9th Octr.....	Bring to notice certain defalcations in the Treasury of the Civil Court of Combaconum and the proceedings taken thereon, and with a view to enable the Zillah Judge to meet the demands of private suitors, recommend that the Collector be authorized to place at his disposal the sum of Rupees 8,370-9-5 (being the amount of the sums paid on account of private suitors which has been embezzled) the same to be disbursed from the unclaimed deposits which have been credited to Government. Submit that the embezzlements must be considered as having arisen out of the opportunities afforded by the omission of the presiding Judges to attend to the directions laid down for their guidance in the Sudr Court Circular Order of the 15th December 1834, and name the Judges in whose times the embezzlements were effected.
56	Order thereon.....	21st Novr.....	Concur with the Court that the omission of the presiding Judges to attend to the directions referred to has afforded opportunities for embezzlement and consider that Officers vested with the supervision of servants guilty of fraud should be held responsible for the acts of their Subordinates. Call upon such of the presiding Judges at whose time embezzlements were made and who are still in India for a refund of the sums to which they have respectively become liable, and resolve to lay the case of the other officers who have left India before the Honorable Court. Desire the Sudr Udalut to explain what rules are observed in regard to the retention of deposit monies in the Court Treasuries and what supervision is exercised on their part to ensure due conformity with their Circular Order

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			of the 15th December 1834. Authorize the Collector of Tanjore to place the sum of Rs. 8,370-9-5 to the credit of the Civil and Session Judge of Combaconum, the same being disbursed from the unclaimed deposits carried to the credit of Government.
57	From the Teloogoo Translator to Government.	18th Novr.....	Reports on the Telugu translation of the Regulations prepared by Vencatasoobiah.
58	Order thereon.....	21st Novr.....	Direct the purchase of 10 copies of the translation for transmission to the Honorable Court.
59	From the Agent at Vizagapatam.	19th Octr.....	Submits his Diary for the month of September last.
60	Order thereon.....	21st Novr.....	Recorded.
61	From the Court of Sudr Udalut.	7th Novr.....	Forward papers having reference to the state of feeling between Messrs. Cook and Holloway the Civil and Subordinate Judges of Calicut. Submit that these officers should be separated before any public detriment occurs from their misunderstandings, and suggest in view thereto the transfer of Mr. Cook to the Judgeship of Mangalore.
62	Order thereon.....	23rd Novr.....	Regret the feeling exhibited by the functionaries referred to. For reasons stated, intimate that if Government deemed it necessary to act on the present occasion, they would feel called upon to remove both Messrs. Cook and Holloway to other Zillahs; and that Government forbear to take the step in the hope that those gentlemen will for the future so rule themselves as to abstain from irritating each other.
63	From the Inspector of Prisons.	5th Novr. ...	In reply to a call, states that he has made a reference to the Agent at Kurnool, on the subject of the construction of a cookroom for the prisoners under his charge and submits that the work can be executed by the Convicts themselves.
64	Order thereon.....	23rd Novr. ...	Request to know the result of the reference made to the Agent, and if the building should be necessary, at what cost it could be constructed with the aid of Convict labour.
65	From the Inspector of Prisons.	7th Novr. ...	Requests sanction to the supply from the Arsenal of Vizagapatam of 30 Swords for the use of such of the Jail guard as are not armed with muskets.
66	Order thereon.....	23rd Novr. ...	The Inspector General of Ordnance and Magazines instructed to cause the application to be complied with.
67	From the Court of Sudder Udalut.	13th Novr. ...	Forward a letter from the Civil Judge of Chittoor, soliciting authority for the purchase of two Almirahs and for the repair of a table and punkah of his Court, defraying the expenses on their account from the proceeds of the sale of useless records.
68	Order thereon.....	23rd Novr. ...	Notice that the cost of the Almirahs has not been stated and that the repair of the punkah and table might have been executed without reference to Government and charged for in a contingent Bill. Consider the proposal to defray the expenses from the sale proceeds of useless records to be objectionable.
			CONSULTATION.
69	From the Acting Collector of Masulipatam.	14th Novr. ...	Under circumstances of the case, requests that instructions may be issued to prevent the carts hired for the conveyance of Military

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			stores from Masulipatam to Hyderabad, from being taken on beyond the latter station against the will of the drivers.
70	To the Resident at Hyderabad.	24th Novr.....	Communicate the foregoing with a recommendation that the request therein made may be complied with.
71	From the Officer in charge of the Army Clothing Department.	20th Novr.....	Submits as directed a statement of the value of cloth indented for by the Officer Commanding the Malabar Police Corps.
72	Order thereon.....	24th Novr.....	Communicated to the Magistrate of Malabar with reference to Extract Minutes Consultation of the 17th October last.
73	From the Resident at Hyderabad.	12th Novr.....	Forwards copy of a letter addressed by him to His Highness the Nizam's Minister on the subject of the apprehension of the Rohillas that lately attacked the town of Juggiahpettah in Masulipatam
74	From the same.....	13th Novr.....	Forwards copy of a note received from the Nizam's Minister in reply to the communication made by him on the subject of the apprehension of the Rohillas.
75	Order thereon.....	24th Novr.....	Communicated to the Magistrate of Masulipatam.
76	From the Collector of Sea Customs.	10th Novr.....	In reply to a reference, points out to the orders of Government by which he has been authorized to comply with applications for the importation or exportation of Arms and Ammunition.
77	Order thereon.....	24th Novr.....	Notice that it would have saved trouble if Mr. Underwood had noted in his previous communication, the orders now referred to. Observe that the Arms Act applies only to the import and transport of Arms and not to their export, which must therefore remain as before under the old Act XVIII of 1841, and resolve to empower the several Collectors of Sea Customs to grant Licenses for the export of Arms &c., from their respective ports to Calcutta and Bombay.
78	From Mr. A. A. Sevestre, Calcutta.	21st Octr.....	Forwards 3 copies of the "Reports of cases of the Sudder Dewany Adawlut" at Calcutta, forming Part 7, Vol. IV. with a bill for the cost of the same, amounting to Rs. 57-14.
79	Order thereon.....	24th Novr.....	Direct that one copy be transmitted to the Board of Revenue, and another to the Court of Sudder Udalut, and forward Mr. Sevestre's receipt to the Accountant General for adjustment.
80	From the Commissioner for the revision of Civil Salaries and establishments.	.....	Forwards his proposed report on District and Subordinate Judges of the Madras Presidency.
81	To the same.....	24th Novr.....	Offer the remarks of Government on the foregoing report.

Exd. F. Cartledge,