

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>1451</i>	Press
		~~Mis.~~
	<i>38-39</i>	
Dated	<i>14-10-</i>	<i>19/11/8</i>

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 19th October 1858.

No. 38. Read the following letter from C. F. CHAMIER, Esq., Tamil Translator to Government; to T. PYCROFT, Esq., Chief Secretary to Government, dated 4th October 1858.

SIR,

I have the honor to submit, for the consideration of Government, copies of a letter addressed by me to the Vepery Police Magistrate, and of his reply thereto, relative to the most appropriate mode for that officer to obtain the attendance of my translating Moonshee, in cases where he may not be cited as a witness by the parties, but be merely required as an Interpreter.

The curt reply of the Police Magistrate, leaving it uncertain what course he purposes adopting in such cases for the future, I am under the necessity of bringing the matter under the notice of the Government, in order that they may determine, *first*, whether as a mere "inhabitant" of Madras, my Moonshee can lawfully be summoned and required to make translations of Tamil papers, produced in a case with which he is in no way connected; and *secondly*, whether if his services be needed in aid of a public prosecution, in the capacity of an Interpreter, they are to be procured by means of a Summons served upon himself, or that of a letter addressed to me.

From C. F. CHAMIER, Esq., Tamil Translator to Government; to T. G. CLARKE, Esq., Magistrate of Police, dated 30th September 1858.

SIR,

I have the honor to call your attention to the manner in which the attendance of my Translator, (Moottoosawmy Moodelliar), in your office, on the 28th Instant, was procured; in the hope that you will see proper to adopt a different course in future cases.

2. In the Summons he was required to appear "immediately, to give evidence in a case pending before the Magistrate;" was addressed merely as an "inhabitant" of Madras; and had no notice of the nature of the proceedings pending in the Police Court.

3. It appears that on arriving at your office, Moottoosawmy Moodelliar was merely called on to make a translation of part of some Tamil publication, and was not examined as a witness to the facts of the case.

4. I shall always be prepared to place the services of my Translator at your disposal for any public purpose; but I would submit that, in such cases, a summons is not the usual or the proper method of procuring his attendance; especially as, in the event of my not being able to spare him at the time specified, it would place him in the position of disobeying the summons, without any fault of his own.

From T. G. CLARKE, Esq., Magistrate of Police; to C. F. CHAMIER, Esq., Tamil Translator to Government, dated 2nd October 1858.

SIR,

I have the honor to acknowledge the receipt of your letter, dated 30th September 1858.

(True Copies.)

(Signed) C. F. CHAMIER,
Tamil Translator to Government.

No. 39.

ORDER THEREON, No. 1451; dated 14th October 1858.

It appears here that *Mr. Chamier's* Translator was lately summoned as "an inhabitant of Madras," to the Vepery Police Court, "to give evidence in a case pending before the Magistrate," but, on his appearing there, it proved that he was not required as a witness, but called upon to make translations of a portion of a *Tamil* Book.

2. It is observed that a Translator is provided for each Police Court, and it is presumed therefore that it was only because the Magistrate's Translator was unequal to the task of rendering the contents of the Book into English, that *Mr. Chamier's* Pundit was summoned. The

Fort St. George, Judicial Consultation, 19th October 1858.

Government agree with *Mr. Chamier* that it would be preferable in such cases, that is when the party is required only as an Interpreter or Translator and not as a witness, to procure the attendance of the Pundits attached to the Government Translators by a letter addressed to the head of the office, than by a summons to be served on the individuals themselves. Moreover as the Moon-shees attached to the Government Translators have ample occupation in the discharge of their own proper duties, such applications for their services ought to be very rare. The Police Office Interpreters who are more highly paid than the Translators' Moon-shees, ought to be fully equal to any duty that may be required of them whether for translation or interpretation.

(Signed) T. PYCROFT,
Chief Secretary.

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To be communicated to the Maris-
trats of the Vepery Police Court for report.

Copy to Mag. Vepery Police Court.

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Judicial Dept

No 11451

Encl. of 14 October, 1858

Read following letter } here entered
from the Tamil Translator to Govt J 8/4 Oct/58

It appears here that Mr Chamier's
Translator was lately summoned
as "an inhabitant of Madras" to the
Vepery Police Court, "to give evidence"
"in a case pending before the Magistrate";
but, on his appearing there, it
proved
that he was not requi-
red as a witness, but called up-
on to make translations of a
portion of a Tamil Book.

2. It is observed that a Translator
is provided for each Police Court,
but it is presumed therefore that it was
only because the Magistrate's Translator
was unequal to the task of rendering
the contents of the Book into English,
that Mr Chamier's Pandit was
summoned. The Govt agree with Mr
Chamier that it would be preferable
in such cases to procure the assistance
of the Pandits attached to the Govt
Translator by a letter addressed to
the Head of the Office, than by a sum-
mons to be served on the individuals
themselves. D. J. 6/10. 70

That is where the party is summoned
only as an inhabitant of Madras
and not as a witness.

To the Comptroller of
Police & the
Superintendent

In 1844 to 1845: 19. October
Medical 1850 September

No 1457.

Extracts from: of 1845

28/14 October 1850.