

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	754	Press ~~Mis.~~
	72-73	
Dated	8-6-19	1968

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 8th June 1858.

No. 72. Read the following letter from the Judges of the Madras Court of Small Causes; to the Chief Secretary to Government, Fort Saint George, dated 26th May 1858, No. 55.

SIR,

We have the honor to report to you for the information of the Right Honorable the Governor in Council, that William Blanche, who has been upwards of 10 years a Bailiff in this Court, has absconded from Madras after embezzling the sum of Rupees 607-6-4, the proceeds of six Warrants entrusted to him for execution and which he has received without paying over forthwith to the Clerk according to the rules of Court. It appears that the very fact of his having been so long a Bailiff of the Court, has in a great measure facilitated the perpetration of the offence, for in ordinary cases the Plaintiff is obliged to attend the Bailiff to point out the Defendant at the time of the execution of any Writ, but Blanche from his long service and consequent acquaintance with Suitors has been able to dispense with such attendance and has thus been able to execute the Warrants entrusted to him without the knowledge of the Plaintiff.

Due application has been made to a Magistrate and a Warrant for his apprehension issued, and we respectfully beg that the Company's Law Officers may be directed to conduct the prosecution against him. We have the honor to annex copies of the additions we propose to the Monetary rules and forms of the Madras Court of Small Causes, which we trust will have the effect of preventing any recurrence of such an offence and for which under Section 22 of Act 9 of 1850, we solicit the sanction of the Right Honorable the Governor in Council.

(Signed) R. BURGASS,

(„) J. Y. FULLERTON,

(„) G. E. COWER,

Judges.

No. 73. ORDER THEREON, No. 754; dated 8th June 1858.

In the above letter, the Judges of the Court of Small Causes, report the embezzlement of Rupees 607-6-4, by William Blanche, one of the Bailiffs of that Court, and request that the Company's Law Officers may be directed to conduct the prosecution against him: They also propose, with a view to preventing the recurrence of such an offence, certain additions to the Monetary rules and forms of the Court.

2. It does not appear that William Blanche has been yet apprehended. When he is, the Honorable Company's Solicitor, will attend to the case and advise Government whether it be a proper one for the employment of the Law Officers of Government.

3. With regard to the additions proposed to be made to the Monetary rules and forms of the Court of Small Causes, it is observed that by No. 8, the Clerk is at the close of each day to examine in person the book of Warrants and call for all Warrants not duly returned and report the same to the Court. He is also on the first Court day, in every week, personally to examine the Warrants in the hands of the Bailiffs, to ascertain whether they have been executed or not. It does not occur to Government why the Clerk should not at the close of every day personally examine the Warrants so as to see whether the receipt in red ink at the foot of them is or is not attached to them, and when it is not, to require the Bailiff to produce the amount for which it is the voucher. If this examination be deferred until the first Court day in the ensuing week, the Bailiff may abscond with the money in the meantime.

4. It is presumed that the proposed addition to the Notice and Memo. will be translated into the Vernacular languages for the benefit of those who do not understand English.

(Signed) T. PYCROFT,

Chief Secretary.

Encl. F. Cartledge.

Judicial Department

No. 754

Extract from the Minutes of Consultation
Dated 8th June 1858 —

Read the following
letter from the Judges of the
Court of Small Causes: —

(Here enter 26th May 58 1858)

In the above letter
the Judges of the Court of
Small Causes report the em-
ployment of Papers 607-6-4
by William Blanche, one of
the Bailiffs of that Court,
and request that the Compa-
ny's Law Officers may be di-
rected to conduct the prose-
cution against him. They
also propose, with a view to
preventing the recurrence of
such an offence, certain ad-
ditions to the Monitory Rules
and forms of the Court.

A
H
W

2. — It does not appear that William Blanche has been yet apprehended. When he is, the Honorable Comptroller's Solicitor will attend to the case and advise Government whether it be a proper one for the employment of the Law Officers of Government.

3. — With regard to the additions proposed to be made to the Monetary Rules and Forms of the Court of Small Causes, it is observed that by No. 8 the Clerk is at the close of each day to examine in person the book of warrants and call for all warrants not duly returned and report the same to the Court. He is also on the first Court

I do not see why this should not be done
J.P.

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Court day in every week personally examine the warrants in the hands of the Bailiffs to ascertain whether they have been executed or not. — It does not occur to Government why the Clerk should not at the close of every day personally examine the warrants so as to see whether the receipt in red ink at the foot of them is or is not attached to them - and when it is not to require the Bailiff to produce the amount for which it is the voucher. If this examination be deferred until the first Court day in the ensuing week the Bailiff may abscond with the money in the meantime. —

4. — It is presumed that

that the proposed addition
to the Notice and Memo.
will be translated into the
vernacular languages for
the benefit of those who
do not understand English.

JP

Copy to the Judges of the
Small Cause Court with
1000g Encl. }
" Hon. Sec. Solicitor.

Despd. 12th

10/6

M. D. Bell

Shaded with pattern to "Gang"
7-8-75 1858
Para 32.

7-8-75

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In Court's case
Judicial 1858. Department.

No. 754

Extract Mins. Cons.

Dated 8th March 1858

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