

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 872-873 Press
~~Mis.~~

52-54

Dated 29-6-1958

Not to be folded or roughly handled

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Fort St. George, Judicial Consultation, 2nd July 1858.

No. 52. Read the following letter from A. HATHAWAY, Esq., Acting Magistrate of Madura; to W. H. BAYLEY, Esq., Acting Secretary to Government, Judicial Department, Fort St. George, dated Meyloor, 10th June 1858, No. 165.

SIR,

Fort St. George Gazette, 19th
March 1858, page 465.

1. With reference to the appointment of Captain J. J. Brine, 4th Regiment N. I., to the charge of the Public Works in the Paumben Pass in the room of Captain C. Gib, I have the honor to report for the information of the Right Honorable the Governor in Council that the circumstances mentioned in para. 5 of Mr. Parker's letter of the 15th April 1848, which led to the correspondence noted in the margin, in connection with Captain Gib's appointment as Joint Magistrate of Paumben still remain unaltered.

To Board of Revenue	25th April 1848.
From Do	13th July with Extract Min. Con.
	30th June 1848.
To Do	22nd July "
From Do	25th Sept. "
From Do	28th do with Extract Min. Con.
	19th Sept. 1848.
To Do	17th Oct. "
From Do	6th Novr. "

2. From the accompanying copy of a letter from Captain Brine, it would appear advisable that he have the power to check any insubordination that may arise amongst the prisoners at Paumben.

3. Moreover the Head Assistant Magistrate resides at Ramnad, his chief station, which is 26 miles from Paumben, and his charge of the Police of the two extensive Zemindaries of Ramnad and Shevagungah, in which many ill disposed persons reside is sufficient to fully occupy his time.

4. I would therefore recommend that Captain Brine, although he does not appear to have passed an examination in any of the vernacular languages, may be appointed Joint Magistrate of Paumben.

From Captain J. J. BRINE, In charge of Public Works, Paumben; to A. HATHAWAY, Esq., Acting Collector of Madura, dated 30th April 1858, No. 130.

SIR,

I have the honor to acquaint you, that my predecessor Captain Gib held the appointment of Joint Magistrate here.

I am convinced that the holding of that appointment would materially aid me in carrying on the various duties connected with the Departments here, I am therefore induced to solicit that the appointment may be conferred on me.

Without some such authority, I find it difficult to carry out my wishes, and besides I have a Jail with a large number of Convicts under my charge.

In the short time I have been here, I have already had to notice that a feeling of insubordination exists among the prisoners, and were a case of emergency to occur, I should feel more at liberty to act if I held the Joint Magistracy.

(True Copy.)

(Signed) A. HATHAWAY,
Acting Magistrate.

No. 53. ORDER THEREON, No. 872; dated 29th June 1858.

1. On the recommendation of the Acting Magistrate of Madura and under the provisions of Act IV of 1847, the Right Honorable the Governor in Council is pleased to appoint Captain J. J. Brine, 4th Regiment N. I., to be a Joint Magistrate in the District of Madura, and to have jurisdiction within the limits of Paumben. He also resolves to request the Judges of H. M.'s Supreme Court to issue a Commission of the Peace in behalf of Captain Brine.

2. This Officer will be instructed to qualify as a Justice of the Peace by making and subscribing the necessary oaths before the Zillah Court of Madura; and the Magistrate of that District, will be directed, by the Court of Foujdaree Udalt, to furnish him with the necessary in-

Fort St. George, Judicial Consultation, 2nd July 1858.

struction in regard to his Magisterial duties and to require of him the submission of the usual statements and periodical Returns called for by the Regulations and the orders of the Court of Sudr and Foujdaree Udalut.

(Signed) T. PYCROFT,
Chief Secretary.

Ordered that the following letter be despatched.

No. 54. To the Honorable Sir C. RAWLINSON, Knight, Chief Justice of H. M. Supreme Court of Judicature at Madras, dated 29th June 1858, No. 873.

HON'BLE SIR,

We, the Governor in Council of Fort St. George, having duly nominated and appointed Captain J. J. Brine, 4th Regiment N. I., the Officer in charge of the Public Works in the Paumben Pass, to be a Joint Magistrate in the District of Madura, and to have jurisdiction within the limits of Paumben, request you to issue from H. M. Supreme Court, a Commission of the Peace in his behalf, in conformity with the provisions of Act VI of 1845, for which this will be your Warrant.

2. Captain Brine has been directed to qualify as a Justice of the Peace, by taking and subscribing the necessary oaths before the Zillah Court of Madura.

(Signed) HARRIS,
(") WALTER ELLIOT,
(") W. MOREHEAD,

Judicial Department

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Extract from the Minutes of Consultation
dated 29th June 1858.

Read the following letter
from the Acting Magistrate of
Madura.

(See entry 10th June 1858 No 165)

1. On the recommendation
of the Acting Magistrate of
Madura under the provisions
of Act 18 of 1847, the Right Hon^{ble}
the Governor in Council is
pleased to appoint Capt. J. J.
Brine 4th Regt. N. I. to be a Joint
Magistrate in the district of
Madura and to have jurisdic-
-tion within the limits of
Paumben. He also resolves
to request the Judges of H. M.
Supreme Court to issue a

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Commission of the Peace in
behalf of Capt. Brine.

2. This officer will be
instructed to qualify as a Justice
of the Peace by making and sub-
scribing the necessary oaths before
the Zillah Court of Madras; and
the Magistrate of that district,
will be directed, by the Court of
Foujdare Adalat, to furnish him
with the necessary instruction
in regard to his Ministerial duties,
and to require of him the sub-
mission of the usual state-
ments and periodical returns
called for by the Regulations in
the orders of the Court of Sudder
and Foujdare Adalat.

3. Ordered that the fol-
lowing letter be despatched.

To the Chief Justice of A. M.
Supreme Court.
(Enc. with 12873.)

Copy to the As Magistrate of Madras
" Court of Foujdare Adalat
" Military Department
" Marine Department
" Civil S.D.

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12873.

The Honble Sir. G. Rawlinson Knight
Chief Justice of H. M. Supreme Court
of Judicature at Madras.

Honble Sir,

I, the Governor in
Council of Fort St. George, having
duly nominated and appointed
Capt. J. S. Brine 4th Regt. N. I. the
officer in charge of the Public
works in the Pannam Pap, &c.
a Joint Magistrate in the district
of Madras, and to have jurisdic-
-tion within the limits of Pannam-
-den, request you to issue from
H. M. Supreme Court, a Commis-
-sion of the Peace in his behalf
in conformity with the provi-
-sions of Act VI of 1845 for which
this will be your warrant.

2. Capt. Brine has been
directed to qualify as a Justice
of the Peace by taking and sub-
scribing the necessary oaths
before the Zillah Court of Madras.

For S. George,
29 June, 1858.

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Encl^{re}

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Wm. H. & Co. 22 July.
Judicial 1858. Sept 19th.

No 873

To
Mr. Wm. H. & Co.
Chief Justice of
the Supreme Court.
29/09/1858.