M.R. O. I—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

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

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Dated 27-7- ~~19~~ 1858

Pro No - 1 to 47.

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		DIARY. 1858	
1	From the Acting Agent, Ganjam.	16th June.....	Under the circumstances stated, urges the necessity of the Law being declared to which the armed bodies called Sibbundi Corps are amenable.
2	Order thereon.....	21st July.....	Notice that the question will properly come under the consideration of the Chief Commissioner of Police, and inform Mr. Knox in the meanwhile, that the Sibbundies are like other Natives amenable to the ordinary regulations, and can be punished for any offences by the Commanding Officers in the capacity of Assistant Magistrates.
3	From the Court of Sudr Udalut.	10th July.....	With reference to a letter from the Civil Judge of Masulipatam, on the subject of a theft that was lately committed in his Court, express their entire dissent from the principle upon which Mr. Cotton requests to be relieved from the payment of the value of the property stolen on the occasion.
4	Order thereon.....	21st July.....	See no reason to modify the orders of Government, holding Mr. Cotton answerable for the value of the property stolen.
5	From the Commissioner of Police.	1st June.....	Report with reference to a requisition from the Honorable Court, on the working at Madras of the Police Act No. XIII of 1856.
6	From the Magistrate of the 1st District.	31st May.....	
7	From the Magistrate of the 2nd District.	1st June.....	
8	From the Magistrate of the 3rd District.	26th April....	
9	To the Government of India.	21st July.....	Forward copies of the foregoing communications with an intimation that the Government are not prepared as recommended by the Commissioner and the Magistrates to advise, that cases be committed to Her Majesty's Supreme Court by the Commissioner and his Deputies.
10	From the Court of Foujdaree Udalut.	13th July.....	In reply to a reference, state that they have ruled on a former occasion that the provisions of Act III of 1857, are only applicable when the cattle trespassing are doing damage, but that they would now simply consider the *fact* of the trespass as legally involving damage, subject to the contingency of its being established on the part of the owner of the cattle that the place trespassed on was of such a nature as to exclude the possibility of any damage arising from such trespass.
11	Order thereon.....	21st July.....	Communicate the opinion of the Judges to the Department of Public Works, and also to the Magistrate of Masulipatam, who will insert a Notice in his District Gazette to the effect of the view taken by the Court of Foujdaree Udalut. Request the Judges to issue a Circular for the guidance of all Magistrates on the subject matter of their present letter.
12	From the Magistrate of Kurnool.	9th July.....	Reports the detention in custody of one Bahadur Ally Shah, calling himself a Fakeer from Cawnpore, and solicits instructions regarding his disposal.
13	Order thereon.....	21st July.....	Direct that measures be taken to send him back

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			to his own country, warning him that he will be sent to Jail if he returns to any of the Madras Districts.
14	From the Commissioner of Police.	6th July.....	Reports as requested, on the late attack upon the Missionary Premises at Royapettah, and the proceedings of the Police on the occasion.
15	From the Chief Justice of the Supreme Court.	12th July.....	Forwards with his opinion a Presentment made by the Grand Jury during the late Sessions on the inefficiency of the Police as noticed by them in two or three cases.
16	From the Advocate General.	12th July.....	Submits his report of the cases in which he considered it necessary to conduct the prosecution at the late Criminal Sessions.
17	Order thereon.....	21st July.....	Notice with reference to the attack on the Missionary Premises at Royapettah that the Rev. Mr. Jenkins requested Inspector Stuart and his men to remain at the Mission House as he apprehended a riot, which they refused to do, alleging that their orders were to withdraw, and call upon the Commissioner of Police to state whether such orders were issued, and if so, for what reasons ; and also to report whether any information of the actual state of affairs was sent to him or either of his Deputies, and if not, why not, and why the mounted Police did not come to the scene till near 8 o'clock in the evening. Request Mr. Jenkins to report what communication he had with the Police on the day on which the riot occurred. Communicate the letter of His Honor the Chief Justice to the Commissioner of Police for any remarks he may have to offer on it.
18	From the Magistrate of the Royapettah Police Court.	15th July.....	In reply to a call, explains the remark viz., "Court adjourned" entered in the return of his Court for the week ending 10th Instant.
19	Order thereon..	22nd July.....	Recorded.
20	To the Government of India.	22nd July.....	Transmit copies of certain Despatches forwarded to the Honorable Court.
21	From the Court of Foujdaree Udalut.	26th June ...	Forward the returns received from the several Magistrates, shewing the places where they would propose to establish Pounds for confining trespassing cattle, and submit that the Chief Commissioner of Police should prescribe the forms of Register and returns to be kept and furnished by the Pound-keepers. Also state that they see no reason to exempt any tract of country from the operation of Act III of 1857, and suggest that all District Moonsiffs be vested with the power of receiving and trying complaints under Section 14 of the Act in addition to the other functionaries therein specified.
22	From the Acting Magistrate of Madura.	28th June ...	Brings to notice that no authority has yet been given to the Magistrates, to bring into force the provisions of the Cattle Trespass Act.
23	Order thereon.....	23rd July.....	Notice that no cause is assigned by the Foujdaree Udalut for the great length of time that the replies from the several Magistrates have been allowed to be in their Office, and that there has been no attempt to abstract or put in a convenient form the information supplied. Pass certain orders for the working

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			of the Act III of 1857, and request the Judges to submit for publication a Notification to the effect that all District Moonsiffs have been invested with powers to receive and try complaints of illegal seizure of cattle.
24	From the Colonial Secretary, Mauritius.	29th May.....	Reports that two Constables of the Mauritius Police Force sent on board the Barque "*Malabar*" on Quarantine duty were carried away by that vessel, and requests that an investigation be made of the case with a view to causing the men to be sent back to the Island.
25	Order thereon.....	23rd July.....	The Commissioner of Police desired to comply with the wishes of the Mauritius Government on the arrival of the vessel.
26	From the Colonial Secretary, Mauritius.	29th May.....	Requests to be furnished with a copy of the depositions taken in India in the case of the murder at the "Six Islands," and that the prisoners charged with the crime may be sent to the Island for trial.
27	Order thereon.....	23rd July.....	The Acting Magistrate of Malabar desired to take steps for the re-apprehension of the accused and for sending them to the Mauritius, and to report the steps he may take for the purpose.
28	Minutes of Consultation.	23rd July.....	Communicate copy of the 2nd para of the Advocate General's letter of the 13th Inst., to the Inspector General of Ordnance and Magazines, and with reference to a remark made by Mr. Smyth, call upon the Commissioner of Police for explanation, why the Deputy Commissioner Ramachender Row was allowed to take any share in the enquiry into the crime charged against Vencatasawmy Butten, notwithstanding the existence of an enmity between the two, and desire the Magistrate of the Royapettah Police Court to explain in what manner the depositions taken from Vencatasawmy Butten, were recorded in his Court.
29	Minutes of Consultation.. ..	24th July.....	Pass orders on a Despatch from the Honorable Court, dated 26th May, No. 5 of 1858.
30	Extract Minutes Consultation, Department Public Works.	15th July.....	Refer a letter from the Officiating Chief Engineer, forwarding for sanction a Plan and Estimate, amounting to Rupees 1,780, for the construction of a new Police Cutcherry at Aska in Ganjam.
31	Order thereon.....	24th July.....	Approve the plan and direct that the necessary orders be issued for entering the same in the Budget of 1859-60.
32	From the Collector of Masulipatam.	23rd June.....	Submits for sanction two Indents, one for cloth for jackets and caps, and the other for sashes for the use of the Sibbundi Corps of his District.
33	Order thereon.....	26th July.....	Sanction the Indents.
34	From the Government of India.	19th June.....	Sanction the augmentation of the Sibbundy Corps of the Northern Circars at an approximate expense of Rupees 5,800 per mensem, and request that the actual expense to be incurred on this account may be definitely reported.
35	Order thereon.....	26th July.....	Record the foregoing and notice that the expense will be definitely reported when the arrangements are further advanced.

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		CONSULTATION.	
36	From the Civil Judge of Nundial.	14th July.....	Recommends the appointment of Goondavarapoo Soobiah as Government Vakeel of his Court until arrangements can be made for permanently filling up the office.
37	Order thereon.....	27th July.....	Appointed accordingly.
38	Extract Minutes Consultation, Military Department.	19th July.....	Refer a communication from the Government of India, desiring that every assistance may be given to Lieutenant Burne employed in raising a Corps of East Indians in Calcutta, in obtaining the Recruits at Vizagapatam and Madras.
39	Order thereon.....	27th July.....	Communicated to the Magistrate of Vizagapatam and the Commissioner of Police at Madras, and intimate that Lieutenant Burne might also with advantage try Bangalore and Trichinopoly.
40	From the Magistrate of Bellary.	10th July.....	Solicits sanction for the disbursement of extra batta at the rate of one Anna each per day for the additional number of Peons lately entertained by him for the purpose of aiding the ordinary Police of his District.
41	Order thereon.....	27th July.....	Authorize the payment.
42	From the Collector and Magistrate of Salem.	15th July.....	Under the circumstances stated, requests that the Government Pleader may be authorized to institute the necessary proceedings in the Court of Sudr Udalut in view to the admission by the Civil Judge of Salem, of the Appeal preferred by him (the Collector) against the Decree of the Moofty Sudr Ameen in O. S. No. 13 of 1856.
43	Order thereon.....	27th July.....	Authorized accordingly.
44	From the Government of Bombay.	10th July.....	Intimate that a copy of the statement of Bheemuppah, Carcoon to the late rebel Bheem Row, had been received from the Resident at Hyderabad and forwarded to the Special Commissioner in Kollapoor and the Southern Mahratta country.
45	Order thereon.....	27th July.....	Recorded.
46	Extract Minutes Consultation, Military Department.	10th July.....	Forward a letter from the Adjutant General of the Army enquiring with reference to a communication from Assistant Surgeon H. G. Williams, attached to Honore, whether Dr. Williams is available for Military duty.
47	Order thereon.....	27th July.....	Intimate that the services of Dr. Williams cannot be spared for Military duty, unless some other Assistant Surgeon be sent to Honore.

Exd. F. Cartledge.