M.R. O. 1—89,000—16-10-29.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 947 Press ~~Mis.~~

11—13

Dated 9—7— ~~19~~ 1857

***Not to be folded or roughly handled***

## *Proceedings of the Madras Government, Judicial Department, from 9th to 15th July 1859.*

No. 11. Read the following letter from E. G. R. FANE, Esq., Acting Collector and Magistrate of Salem; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Oossoor, 18th May 1859, No. 160.

I have the honor to enclose copy of a letter from the Joint Magistrate of Salem, forwarding a petition, from the residents on the Shervaroy Hills, praying that Mr. Herbert Richardson, one of the residents there may be appointed an Honorary Magistrate and allowed to adjudicate petty cases on the hills alone.

2. A copy of the petition is enclosed.

3. I have been but a short time in this district, but even during that time I have heard so much in favor of Mr. Richardson, and so much of the inconvenience that planters and native cultivators of the hills are put to, in having to go down to the low country in every petty case, that I have no hesitation in recommending the prayer of petitioners for the favorable consideration of the Government.

4. The Police charge of the Shervaroy Hills is in the hands of the head of Police of the Salem Talook, who has his Head Quarters in the Town of Salem, distant 13 miles from Yercaud, the chief place on the hills; but between 20 and 30 miles from many of the Coffee plantations and native villages.

5. The only establishment on the hills consists of an Ameen and a peon employed exclusively for the collection of revenue, from which source the Ameen is paid a salary of 10½ Rupees a month.

6. If the Government should be pleased to accede to the prayer of the petitioners, the question of the establishment to be allowed to Mr. Richardson, will have to be considered. An establishment such as that noted in the margin* would I think be sufficient.

| | Rs. | A. | P. |
|---|---|---|---|
| *1 Writer to take down depositions and keep records at 15 Rupees a month.. .. ... | 15 | 0 | 0 |
| 3 Peons at 5 Rupees a month.. .. .. .. | 15 | 0 | 0 |
| 1 Deloyet or Head Peon, at 7 Rupees a month.. | 7 | 0 | 0 |
| Aggregate amount, Rupees... | 37 | 0 | 0 |

No. 12. MINUTE by the HONORABLE the PRESIDENT, dated 30th May 1859.

In a case like that of the Shivaroy Hills I am in favor of appointing Honorary Magistrates on the English footing, and everybody is agreed that a better man than Mr. Richardson could not be selected to make a beginning. If the measure is approved of, the mode of doing it may be discussed at Council.

(Signed) C. E. TREVELYAN.

No. 13. ORDER THEREON, 9th July 1859, No. 947.

The Government understand that Mr. H. Richardson is not now desirous of entering the public service and that he will not continue to reside on the Shervaroy Hills.

(Signed) T. PYCROFT,
*Chief Secretary.*

Exd. F. Cartledge.

Salem Joint Magistrate's Office

Jeremd 16th May 1859.

From H. G. Smith Esquire

Joint Magistrate of Salem

To

E. Stone Esquire

Acting Magistrate of Salem

Sir,

At the request of the European and East Indian settlers of the Shevaroy Hills, I have the honor to forward you the enclosed petition praying for Br Herbert Richardson to be appointed honorary Magistrate on the Hills.

2. In doing so, I beg to inform you that I most fully concur with them as to the necessity of

of having a resident Magistrate
for not only is the inconvenience
of going to Salem very great, but
the Malayalies who are for the most
part employed on the different estates
and therefore generally the witnesses
of the petty thefts (the number of
which is very great) will on no
account proceed to Salem unless
actually forced to do so; in fact
they would rather hide for days
in the Jungles than attend a summ-
-mons if it necessitates their going
to Salem.

3. I will here add that
there are now about 45 families
locates on the Sherevoy Hills, and



in my opinion Mr Herbert Richards
from his great experience of and
long residence among the Community
European, East Indian and Native
as well as from his thorough knowledge
of the language is a most fit person
for the post.

Shane 8th
(Signed) A. G. Smith
Joint Magistrate

(True Copy)
G. Faure
Jr Magistrate.

Judicial Department

No. 858

From

The Acting Magistrate of Salem

Dated 18th May 1859

For Orders

In a case like that of the Shivaroy Hills I am in favor of appointing Honorary Magistrates on the English footing - and everybody is agreed that a better man than Mr Richardson could not be selected to make a beginning - If the measure is approved of, the mode of doing it may be discussed at leisure

Mc Ch 30 May 59

Recd 20th May 1859

And a letter from the Acting Magistrate of Salem dated 18th May 1859 No 160

Copy of a letter from the Acting Magistrate of Salem recommending that Mr. G. Richardson may be appointed Honorary Magistrate of the Shivaroy Hills.

I fully accord to the ~~order~~ proposal
of the Madras Corps[ondent] to the
Limits of the Exclusive Jurisdiction for
the discharge of the duty to
be assigned to them — But
I doubt if we can legally appl
them a Magistrate — Other
Zillahs have Assistants — Under
Reg IX of 16 ~~are~~ the Local Mag[istrate]s
are required to receive
Recognizances — Reg II of 1803 it would
therefore appear that two Assistants

Assistants alone ~~could~~ can be made
Magistrates & that even then they
must be in the Jurisdiction of
the Sessions Court — This
was felt to ~~be~~ obtain Gr—
from a Mil[itary] Military man
to be Magistrates & by the
Enactment of Act II of 47 —
& Judicial Reg — II of 27 was deemed
necessary to enable Govt to give
Sub Collectors Magisterial Powers
as they were not included in Reg IX
of 16 — & under the above circum
stances perhaps it would

be right to have the
Opinion of the Govt Pleader
before we act. Well

44

To

N Dalhaway Esqr
Acting Collector of Salem

From

The Planters and other Residents on the
Sherwaroy Hills.—

Sir,

The growing importance of these Hills induces us to address you, in the hope that your influence and representation of facts to the Government, may secure us the benefit of a Police and Resident Magistracy, whereby we, and those who may shortly be expected to resort to these Hills when the Railway is completed, will escape much serious inconvenience, not to say, in many cases positive loss.

It is obvious that of families with their servants and retainers, flock to these Hills from Madras and other low Country stations, the evil which at present exists, must be considerably augmented. It is not however so much with a view of the probabilities of the future, as to the actual state of things at present existing, that we seek to call your best attention.

We

We have literally no Police, notwithstanding we form a pretty numerous body, and have property in the aggregate of no mean value, exposed to the dishonestly inclined.

In cases of petty theft the personal inconvenience, and the loss of time in descending the Ghaut to prosecute or give evidence before the Magistracy & Courts in Salem, is practically tantamount to affording Crime complete impunity: and so also with reference to those numerous Cases, where Coolies and other labourers obtain advances with the fraudulent intent of appropriating the money without rendering any service for it, though it is true, that such cases can be reached by Regulation IX of 1816, the want of a Magistrate on the spot who may adjust these cases of petty roguery, precludes all hope of redress.

To pursue such frauds through the intricacies of a regular Civil Suit is of course out of the question, and thus it happens that we are constantly forced to put up with disappointment and speculation, on the principle that the first loss is the least.—

Under these circumstances we submit that a

a small Local Police for the purpose of preventing and detecting Crime, and for the preservation of property exposed as much of ours necessarily is, together with a President Magistrate, are objects not beneath the consideration of a beneficient Government, interested necessarily in the welfare of its subjects, and desirous to foster and encourage those who sink their Capital and give up their time labor and experience, in the endeavour to open up the resources of this Country.—

Should this application be favorably received, we would venture to recommend Mr. Herbert Richardson to the notice of Government, as the Gentleman best fitted for the post of Honorary Magistrate. We have ascertained that he would not object to give his services gratuitously, and his character, his knowledge of the natives and their languages his large property on these Hills, his constant residence on the spot, his ability and the estimation in which he is held alike by Europeans and Natives, point him out as the individual whose appointment among all our Society would give the greatest satisfaction & who would be best able to render efficient services to Government

Government.

Begging the favour of your early attention to this letter,

I Re remain,

Sir,

Your Obedient Servants

Sherbarro Hills
March 1859.

[Sig]ᵈ G. F. Fischer.
" J. Fischer.
" A. Ignatius Sancta
" R. Martin.
" J. B. Anderson
" J. M. Leckler.
" J. C. Manuel
" B. Arnachella Nucharro
" J. Gramisium
" G. Rodrigues
" Solomon David.
" M. Mackin,
" G. R. Mayers.
" M. Lewis
" G. Johns.
" M. John
" A. J. D'Santos
" F. Remondre
" M. C. Clark
" George Copp.
" C. Grant.
" S. Brown
" C. Pachin
" W. Davies B.A. Chaplain of Sherbarro
" John Bruce Norton
" J. Miller.
" C. McFarlane.

True Copy
Edward Lane
Ag. Collector & Magistrate.

would I think be sufficient.—

I have the honor to be,

Sir,

Your most Obedient Servant,

Edward Lane
Ag. Collector & Magistrate.

Salem Collector's Office
Colson 18th May 1859.

To

T. Pycroft Esqr
Chief Secretary to Government
Fort Saint George.

2

No 947. 9 July 1859
Read letter from the Ag Mayor of Salem — 18 June 1859
Minute by the Hon'ble the President — 30 do

The government understand that Mr H Richardson is not now desirous of entering the public service and that he will not continue to reside on the Sherbourne Hills.

Magistrate of Salem. Dispd 13th JPS

Judicial 1859 Dept
Prompt Post
Home
The Acting Agent
Vizagapatam
To the Chief Secretary
to Government
Fort St George
No 160.
Wishing on subject
Dated 18th June 1859
Recd
Encl. Rs 858
Forwarding a Petition
from the Residents
on the Sherbourne Hills
Requesting that the
Government may be
pleased to direct
Mr Richardson to
remain on the Hills a
little longer
The Petition from the Residents
Considered

C28 Govt
26 Dec

MCA