M.R.O. 1—30,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. Press Mis.

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Dated 11th Jan 1932.

Pro No- 1 to 71

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PROCEEDINGS, JUDICIAL DEPARTMENT, FROM 11TH TO 20TH DECEMBER 1859.

No.	The authority from, and Order thereon.	Date.	Subject.
		1859.	
1	Officiating Register to the Court of Sudr Udalut.	5th Dec.....	Requests that copy of the Map shewing the limits of the jurisdiction of the Sub Judge of Ootacamund, may be furnished to that Officer.
2	Order thereon.....	12th Dec.....	The Chief Engineer requested to furnish 2 copies of the Map.
3	Brigadier Commanding Vellore.	26th Nov.....	Reports that the materials of Varadáráj Bunj's Stabling in the Mahals are valued at Rupees 71, and that Rupees 5 is the expense of repairs to the Mahals, if the Stalls be removed.
4	Order thereon.....	12th Dec.....	The Brigadier requested to have the Stables pulled down, the materials sold, and the repairs effected, remitting to Varadáráj Bunj the proceeds less the cost of the repairs.
5	Proceedings of Government, Military Department.	8th Dec.....	Authorizing arrangements for the despatch of the 21st Regiment N. I. to China, and placing certain Officers at the Commander-in-Chief's disposal for Regimental duty.
6	Order thereon.....	13th Dec.....	So much of the Order as regards Lieutenant Blomfield, suspended.
7	Proceedings of Government, Military Department.	16th Nov.....	Communicating Orders passed for the abandonment of the Fort of Masulipatam as a Military Station, in order to convert it into a Commercial Entrepôt, as proposed in the President's Minute relative to his tour in the Godavári and Kistna Deltas.
8	Proceedings of Government, Military Department.	25th Nov.....	Directing the Military Abkaree Department at Masulipatam, with the establishment of Peons, to be transferred to the Collector.
9	Commissary General.....	8th Dec.....	Reports that the Collector of Masulipatam considers further authority necessary before receiving charge of the Military Police.
10	Order thereon	13th Dec.....	Copies of Proceedings, Military Department, furnished to the Magistrate, with the requisite directions.
11	W. Holloway, Esq., Acting Civil Judge of Tellicherry.	6th Dec.....	Requests sanction for the payment to Messrs. Arbuthnot and Co. of the sum awarded to him by Proceedings, 24th November, No. 1598.
12	Order thereon.....	13th Dec.....	Authorized.
13	Proceedings of Government, Military Department.	5th Dec.....	Concurring in the Military Auditor General's opinion that such items as rewards for the apprehension of Criminals and charges for feeding or interring paupers, should be subject to the control of the Civil Department.
14	Order thereon.....	13th Dec.....	Communicated to the Civil Auditor and to all Magistrates.
15	Commissioner of North Canara.	21st Nov.....	Reports that Police Peon Pandrung Naik was murdered by the Bund while in the execution of his duty, and recommends a pension of Rupees 3 a month to his widow.
16	Order thereon.....	13th Dec.....	Granted. The usual Application called for.
17	Magistrate of Malabar.....	16th Nov.....	Requests authority for the Civil Auditor's passing a Bill, amounting to Rupees 146-2-6, for making cloth Trowsers for the Police Corps for 1859.
18	Order thereon.....	13th Dec	Sanctioned. The Magistrate desired to submit a Statement shewing the Articles of clothing sanctioned for the Police Corps, dates of sanction, &c., &c.
19	Officiating Register to the Court of Foujdaree Udalut.	28th Nov.....	Forwards a Statement of the No. of District Moonsiffs on whom criminal powers have been conferred under Act 12 of 1854, and submits

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			the opinion of the Judges as to the success which has attended the operation of the system, to any extension of which they are opposed.
20	Order thereon.....	13th Dec.....	Communicated to the Secretary of State.
21	Collector of Madras.....	29th Nov.....	Represents that an amendment of Act 13 of 1856 is required in order to provide for the punishment of Cattle trespass on land, the property of Government.
22	To the Member for Madras of the Legislative Council.	14th Dec.....	Forward copy of the letter, and request that the defect in the Act may be remedied.
23	Magistrate of Malabar.....	26th Nov.....	In consequence of the inefficiency of the Police of Cochin, requests sanction to accept the offer of the Chamber of Commerce to guarantee Rupees 160 per mensem for the payment of 20 Peons, to be placed under the orders of the Fiscal, in view to the protection of the Mercantile Depôts.
24	Order thereon.....	14th Dec.....	See no objection to the Magistrate accepting the offer as a temporary arrangement.
25	Magistrate of Kárnúl.....	23rd Nov.....	Submits list of property stolen from Sowars valued at Rupees 1,432-7-6, when the Rohillas plundered the village of Koolacoolah, and solicits Government to grant them compensation.
26	Order thereon.....	15th Dec.....	Sanction indemnification at the rate of Rupees 125 each to 5 Sowars for the loss of their horses, and direct the Magistrate to submit a statement of such of the lost articles and their value, as come under the head of Regimental necessaries.
27	Secretary to the Government of India, Home Department.	21st Nov.....	Forwards Extract from a paper submitted by the Advocate General of Calcutta, relative to the provision of Counsel to conduct Prosecutions, to be paid out of the Fine Fund, for a report whether such an arrangement in regard to ordinary Criminal cases tried by the Supreme Courts is required or likely to be beneficial at Madras, and what the probable annual cost incurred by its adoption.
28	Order thereon.....	15th Dec.....	Resolved that the opinion of the Judges of the Supreme Court be obtained on the subject. The views of the Judicial Commissioners desired on the Advocate General's proposal to appoint a Public Prosecutor, referred for their consideration in Order, 1st July, No. 901. The Accountant General requested to submit a statement of the Fines Fund.
29	To the Honorable the Judges of Her Majesty's Supreme Court of Judicature at Madras.	15th Dec.....	Forward copy of letter from the Government of India, together with copy of its enclosure, and request to be favored with their opinion.
30	Collector and Magistrate of Malabar.	3rd Dec.....	Solicits sanction for the permanent entertainment of the additional Police maintained at Anjéngó and Tangachéri to repress Tobacco smuggling, and, as the Travancore Government alone derive benefit from the measure, recommends that they be required to bear the extra expense, amounting to Rupees 50 a month.
31	Order thereon.....	16th Dec.....	The Resident requested to report whether the Sarcar will engage to defray the expense, the Civil Auditor meanwhile continuing to admit the charge.
32	Officiating Register to the Court of Sádr 'Adálat	9th Dec.....	Requests sanction for the expenditure of Rupees 542 for binding 271 books of the Schedules A, C, and D, required under Act 8 of 1859 for the use of the Courts.
33	Order thereon.....	16th Dec.....	Sanctioned.
34	Sree Sree Sree Croostnachundra Deo Muddea Dugarauze Maharauze, son of the Jeypore Zemindar, (Petition.)	15th May.....	Under circumstances represented, solicits that the Gunnupuram Talúq may be placed in his possession during his father's life time, to support himself and family in a proper manner and that the Agent be directed to liquidate his debts.
	.....	8th July.	Referred to the Agent.
35	Acting Agent to the Governor in Vizagapatam.	25th Nov.....	Submits Statements of the results of the Government management of the Gunnupuram Talúq during the past 4 years, the balance in favor of the Zemindar being Rupees 95,850 at the end of Fusly 1268, (1858-59,) and, after liquidating all his debts, the sum of Rupees 37,376 will remain to credit of the Talúq. As Muddea Dugarauze's allowance is certainly insufficient, recommends that the Zemindar be requested to increase it to Rupees 500 monthly, and that the debts, amounting to Rupees 6,147, contracted by him on his marriage, be paid out of the Gunnupuram Collections. Thinks an increase of allowance would be preferable to placing any portion of the Zemindari under his management.
36	Order thereon.....	16th Dec.....	In observing that it would be futile to make any application to the old Zemindar, direct that Muddea Dugarauze's allowance be raised accordingly and the debts on account of his marriage paid out of the surplus revenue of the Talúq. Desire the Agent to intimate to him that his petition cannot be complied with.
37	Deputy Commissary General.	5th Dec.....	Requests that a Commission of the Peace may be issued to Lieutenant H. P. Hawkes, Sub Assistant Commissary General at Jaulnah.
38	Order thereon.....	16th Dec.....	Appoint Lieutenant Hawkes to be a Justice of the Peace, and resolve to request the Judges of Her Majesty's Supreme Court to issue a Commission on his behalf. Direct him to qualify before the first Zillah or Sub-Court, &c., he may have access to.
39	To the Honorable the Judges of Her Majesty's Supreme Court of Judicature.	16th Dec.....	Request them to issue a Commission accordingly.
40	Right Honorable the Secretary of State for India, (Despatch, No. 26 of 1859.)	3rd Nov.....	With reference to the urgent necessity for the reduction of the Native Troops throughout India, suggests that the opportunity afforded by the organization of the Police should be taken of filling up its ranks by efficient volunteers, selected from the Native Army; and, in order to render the arrangement popular and effective, they should be drafted into Police Corps in the vicinity of their own homes.
41	Order thereon.....	17th Dec.....	Copy of the Despatch communicated to the Inspector General of Police and the Adjutant General of the Army, and the attention of the Inspector General called to the instructions conveyed, &c.
42	Civil and Session Judge of Madura.	23rd Nov.....	Submits application of Native Surgeon Mr. Yas Anthony for remuneration for the extra duties performed and expenses incurred by

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		1859.	him, while in charge of the Zillah, during the absence of Assistant Surgeon Colebrook, and, in bringing to notice the satisfactory manner the Native Surgeon has conducted his duties, solicits a favorable consideration of his case.
		2nd Dec.....	Referred for the Civil Auditor's report.
43	Acting Civil Auditor.....	6th Dec.....	States that there are no rules for the grant of an extra allowance to Native Surgeons who may perform extra duties, but that Subordinate Medical Officers in independent charge of a Zillah are entitled to Rupees 50 a month in addition to Military pay and allowances.
44	Order thereon.....	17th Dec ...	Authorize the grant of deputation allowance to Yas Anthony at the rate of Rupees 50 per mensem, and notice with great satisfaction the high testimony borne to his merits.
45	Proceedings of Government, Public Works Department.	1st Dec.....	Communicating Extract from a letter to the Government of India, in view to orders being issued for hastening the selection of a site for the Penitentiary for Europeans on the Nilgiris.
46	Inspector General of Jails...	12th Dec. ...	Reports that the District Engineer and himself has selected a site for the European prison about 1 mile from Jackatalla on the way to Utakámund, of which Dr. Stewart approves. States that he did not think it desirable to include Rupees 20,000 for clearing the site in this year's Budget.
47	Order thereon.....	17th Dec.....	Defer passing Orders until the Governor has had an opportunity of inspecting the locality.
48	Collector of Coimbatore.....	5th Dec.....	Requests orders whether the hill on which the old Jail at Utákamund stands, should be wholly appropriated by the Jail and prisoners.
49	Order thereon.....	17th Dec.....	Similar to No. 47.
50	Commissioner of Police.....	17th Dec.....	Reports that the trial of Murad Khan, Swamy, and Jugganiakloo before the Sessions Court at Chicacole, for the murder of the late Captain Leycester, has closed, and that he is about to return to Madras.
51	Order thereon.....	17th Dec.....	Recorded.
52	Magistrate of Tinnevelly....	9th Dec.....	Reports that 2 persons charged with riot on 22nd December 1858, who absconded and whose property was attached, have surrendered themselves.
53	Order thereon.....	17th Dec.....	The Magistrate directed to release them and relieve their property from attachment.
54	Magistrate of Kurnool.....	9th Dec.....	Reports that the applications for pension were from Hossain Khan Janozie and Gholam Kader Khan Balailzy, whereas the names in Proceedings, 18th June No. 844, are Hyder Khan Mundozy, and Ashruff Khan Janozy, who were pensioned on 30th July 1858.
55	Order thereon.....	19th Dec.....	Direct the Magistrate to adopt the course pointed out in paragraph 2, Order, 19th November No. 1578.
56	Agent to the Governor in Ganjam.	19th Nov.....	Submits the information called for, respecting certain State Prisoners from his district imprisoned at Bellary, Chingleput, Chicacole and Cuddalore.
57	Order thereon.....	19th Dec.....	Direct the release of two of them, and that the Agent will, at the end of 1861, report again respecting others named, &c.
58	Inspector General of Jails...	5th Dec.....	Solicits permission to discontinue the Detachment

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		1859.	of Convicts at Ranipett, the Inspector General of Police concurring in the necessity of the measure.
59	Order thereon.....	19th Dec.....	The arrangement not objected to.
60	Officiating Register to the Court of Sádr Adálat.	13th Dec.....	Recommends that privilege leave for 3 months, applied for by the Principal Sádr Amín of Cochin, be granted, and that Mr. Stuart, Deputy Collector of Wynaud, be appointed to act for Mr. Cullin.
61	Order thereon.....	19th Dec.....	As Mr. Stuart cannot be spared from Wynaud, the Judges requested to suggest some other arrangement.
62	Under Secretary to the Government of Bengal.	2nd Dec.....	In forwarding copy of letter, and of its enclosures, from the Inspector of Police Battalions, relative to Rupees 561-3-5 advanced from the Ganjam Treasury on account of pay, for January 1858, of 2 Company's of the Sumbulpore Sebundy Levy raised by Captain Smith, Assistant to the Agent, intimates that the amount has been sanctioned, but requests to be furnished with Captain Smith's explanation as to the delay in its adjustment.
63	Order thereon.....	20th Dec.....	Referred to the Agent in Ganjam.
64	Acting Session Judge of Masulipatam.	14th Dec.....	Transmits Arzee addressed to the Collector of Malabar by Tucheoden Paker, a State Prisoner, regarding the produce of his lands, with a view to its being forwarded.
65	Order thereon.....	20th Dec.....	Ordered accordingly.
66	Acting Magistrate of North Arcot.	16th Dec.....	Forwards copy of Telegram received from the Superintendent of Police, North Canara, reporting that 7 rebels have surrendered, and that he can dispense with the Kárnúl Horse.
67	Order thereon.....	20th Dec.....	Communicated to the Inspector General of Police.
68	Proceedings of Government, Military Department.	9th Dec.....	Referring Extract from a letter from the Adjutant General, in view to Orders being issued for the transfer of the Military Police at Utakámund to the Civil Authorities, when the Command at the Nilgiris is abolished.
69	Order thereon.....	20th Dec.....	Communicated to the Magistrate of Coimbatore, with the necessary orders.
70	Government Solicitor.	28th Nov.....	With reference to Proceedings, 17th November, No. 1566, forwards copy of the Advocate General's opinion that there is no objection to the addition of the words, proposed by the Military Secretary, to Section 3 of the Draft Bill for the Amendment of the Administrator General's Act, but that the other alteration is not advisable.
71	To the Member for Madras of the Legislative Council.	20th Dec.....	Transmit the observations of the Advocate General and of the Military Secretary, and, as this Government do not concur in Mr. Smyth's views of the alterations in Section 3 proposed by Colonel Marshall, state that they wish both amendments to be adopted. Request that a Section may be added to the draft Bill empowering Government to appoint an *Acting* Administrator General, when the real incumbent is on authorized leave of absence.

Exd. S. T. Augustin.