M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. Press Mis.

Table of contents

Dated 24.5.1934 19

Pro no. 1 to 123

Not to be folded or roughly handled

TABLE OF CONTENTS.

PROCEEDINGS, JUDICIAL DEPARTMENT, FROM 24TH SEPTEMBER TO 4TH OCTOBER 1859.

No.	The authority from and Order thereon.	Date.	Subject.
		1859	
1	Chief Commissioner of Mofussil Police.	7th July.. ...	Submits Statements and Estimates shewing the proposed strength and cost (Rupees 1,74,900 a year) of the new Police Establishment, Constabulary and Village, for the District of North Arcot, with a full report on the subject.
2	Minute by the President. ...	9th Septr....	Reviews the Report and records his views on various points mooted therein.
3	Minute by His Excellency the Commander in Chief.	10th Septr....	As the various reductions he has from time to time recommended in the Military expenditure, await the establishment of the new Police, observes that the importance of bringing it into working order cannot be over-rated.
4	Minute by the Honorable W. A. Morehead.	12th Septr....	Concurs fully in the President's views, &c.
5	Order thereon	24th Septr....	Review the Report, &c., in the terms of the President's Minute. Sanction the arrangements proposed for the reform of the Police of North Arcot, and desire the Inspector General to proceed with them as expeditiously as possible, the orders being reported to the Supreme Government for confirmation, as well as to the Secretary of State for India, &c.
6	To the Secretary to Government of India, Home Department.	24th Septr....	Forward the Report and its Appendix, also the Minutes recorded by the President, the Commander-in-Chief and Mr. Morehead, together with the Orders passed thereon, and in submitting the latter for confirmation, point out that the expense of re-organizing the Police of North Arcot is greater than may be anticipated for other Districts.
7	Member for Madras of the Legislative Council.	7th Septr....	Intimates that the Council has adjourned until 12th November.
8	Order thereon.....	24th Septr....	Recorded.
9	Magistrate of Malabar.....	16th Septr....	Solicits sanction for the trial of Pilakaden Cherriah Amboo, (a British subject, charged with having, with intent to murder, shot his brother, in Coorg,) before the Principal Sudr Ameen's Court and Sessions Court of Tellicherry.
10	Order thereon.....	24th Septr....	Authorize the trial being had before the Sub and Sessions Court of Tellicherry.
11	Secretary to Government of India.	29th Augt....	In forwarding a letter from the Commissioner of Police in Calcutta, request that measures may be taken for the introduction at Madras of a system of clothing the Police on a much more economical scale than at present.
12	Order thereon.....	24th Septr....	Communicated to the Commissioner of Police for a report in detail upon the manner in which he proposes to give effect to the Supreme Government's instructions.
13	H. D. Phillips, Esq., Commissioner under Act 37 of 1850.	12th Septr....	Submits a record of the Proceedings held by him on the four charges preferred against Mr. C. W. Reade, Agent to the Governor in Vizagapatam, &c. &c., and transmits his Minute briefly stating, on what grounds he is of opinion, that Mr. Reade is guilty of the acts imputed to him.

No.	The authority from, and Order thereon.	Date.	Subject.
		1859	
14	Minute by the President.....	14th Septr....	Records his opinion, that the verdict is fully borne out by the evidence, but desires his Colleagues to state their's, for, if the conclusion arrived at be in accordance with the Commissioner's Report, it will be the duty of Government to remove Mr. Reade from his situation and to suspend him, pending Her Majesty's pleasure.
15	Minute by His Excellency the Commander-in-Chief.	15th Septr....	Concur in opinion with the President and assent to the measures proposed.
16	Minute by the Honorable W. A. Morehead.	16th Septr....	
17	Minute by the Honorable Walter Elliot.	21st Septr....	
18	Order thereon.....	24th Septr....	Resolve accordingly. Thank Messrs. Phillips and Holloway.
19	Assistant Superintendent of Marine.	21st Septr....	Reports the provision of passage for Convict Patrick McDonald to Western Australia on the Barque *Frances*.
20	Order thereon.....	24th Septr....	Orders issued for the embarkation of the Convict.
21	T. J. Knox, Esq., Officiating Collector of Salem.	15th Septr....	Solicits payment of Rupees 200, the amount of expenses incurred by him in consequence of proceeding to Vizagapatam by Order of Government.
22	Order thereon.....	24th Septr....	Authorized.
23	Special Commissioner of North Canara.	16th Septr....	Submits, for Orders, copy of a sentence (2 years' imprisonment with hard labor) passed by him under Act 14 of 1857, on a prisoner (Dhoolah) connected with the recent disturbances.
24	Minute by the President.....	23rd Septr....	Thinks that the sentence should be approved.
25	Order thereon.....	24th Septr....	Approved accordingly.
26	Collector of Coimbatore.....	7th Septr....	Reports a renewal of the Toda sacrifices on the Neilgherries, attended with the usual amount of cruelty and brutality. As he feels his hands tied in the matter in consequence of the fine levied on a former occasion being remitted, suggests that he be permitted to withhold the annual allowance (Rupees 150) paid to the Todas, if they continue their brutal sacrifices.
27	Minute by the President	20th Septr....	Thinks that the Collector should be instructed to inform the leading men among the Todas that although the fine imposed on them was remitted, the Government regards their cruel practice with the same disapprobation as before and expects that they will sacrifice only 2 Buffaloes at each funeral, putting them at once out of pain.
28	Order thereon.....	24th Septr....	Resolved accordingly.
29	Commissioner of Police.....	21st Septr....	Submits a Bill, amounting to Rupees 200, for travelling expenses incurred by the Bishop of Madras, in attending the Vepery Police Court, to give evidence against one Soobbaroyen.
30	Order thereon.....	26th Septr....	Sanctioned.
31	Assistant Superintendent of Marine.	22nd Septr....	Solicits that the Military Auditor General and the Civil Auditor may be furnished with Order, 18th August, No. 1106, respecting purserage in the case of Convicts.
32	Order thereon.....	26th Septr....	Ordered accordingly.
33	Clerk of the Crown.....	23rd Septr....	Intimates that a Commission of the Peace has been issued on behalf of Mr. A. McGregor to be a Justice of the Peace.

No.	The authority from and Order thereon.	Date.	Subject.
		1859	
34	Order thereon.....	26th Septr....	Communicated to Mr. McGregor.
35	Assistant Superintendent of Marine.	26th Septr....	Forwards for signature Charter Party in triplicate on account of a European Convict proceeding to England in the *Southern Cross*.
36	Order thereon.....	27th Septr....	The first and triplicate having been duly executed, returned and transmitted accordingly.
37	Secretary to the Government of Bombay.	19th Septr. ...	Requests to be furnished with Descriptive Rolls of the Moplah Out-laws, expected to return from Arabia.
38	Order thereon.....	27th Septr. ...	Communicated to the Magistrate of Malabar.
39	Assistant Superintendent of Marine.	26th Septr. ...	Forwards Charter Party in triplicate on account of a European Convict proceeding to Freemantle on the *Frances*.
40	Order thereon.....	27th Septr. ...	The Chief Secretary directed to affix the common seal to the documents received, returning the triplicate accordingly.
41	To the Colonial Secretary Western Australia, Perth.	27th Septr. ...	Intimate that a Military Convict, Patrick McDonald, has been embarked on the *Frances* for Freemantle, and requests that he be detained and kept to hard labor.
42	Officiating Governor of Prince of Wales' Island, &c.	8th Septr. ...	Reports the arrival of three Convicts.
43	Order thereon.....	27th Septr ...	Recorded.
44	Acting Magistrate of North Arcot.	12th Septr. ...	Requests sanction for the disbursement of Rupees 280 to Ally Dhost, Constable, Madras Police, of the amount tendered corruptly in a case of bribery connected with a Railway robbery, together with Rupees 50 additional as a mark of approbation, also for permission to present Rupees 50 to Sheik Ismail, Duffadar on his establishment, for services rendered.
45	Order thereon.....	28th Septr. ...	Approved and sanctioned.
46	Minute by the President.....	26th Septr. ...	Proposes that the Commissioner's Report on Mr. Reade's case, the Minutes of the Members of Government and the Order thereon be laid on the Editors' table.
47	Minute by His Excellency the Commander-in-Chief.	26th Septr. ...	Thinks it inexpedient that the Report of the Commissioner should be given to the Public, but is ready to forego his opinion, if his Colleagues consider that publicity is necessary.
48	Minute by the Honorable W. A. Morehead.	26th Septr. ...	Would only publish the Government Order.
49	Minute by the President.....	26th Septr. ...	Defers to the opinion of his Colleagues.
50	Order thereon.....	28th Septr....	The Minutes recorded.
51	Magistrate of Masulipatam..	14th Septr. ...	Reports that the men of the Sebundy Corps at Juggiahpett require an advance of Rupees 2,035, for the purpose of building huts, repayable at certain rates. States that the Commandant of the Corps suggests that half be given at once, and the other moiety when the huts are finished.
52	Order thereon.....	28th Septr. ...	Sanctioned accordingly.
53	P. Vyapuri Mudali and 3 others, (Petition.)	30th Augt.. ...	Represent that the Commissioner of Police will not allow them to celebrate the Pillyar feast and pray Government to give them permission.
	.....	16th Septr. ...	Forwarded to the Commissioner of Police for report.
54	Commissioner of Police.....	19th Septr. ...	States that, as it has not been customary to celebrate the festival of the Pillyar Pagoda by out-of-door processions, he declined to comply with the request of the Petitioners.

No.	The authority from and Order thereon.	Date.	Subject.
55	Order thereon	28th Septr.	The Petitioners informed that Government approve the Commissioner's proceedings.
56	Chief Engineer, Public Works Department.	19th Septr.	Forwards letter from the Civil Architect, representing the difficulties in the way of getting possession of the lands for the construction of Constables' Quarters, &c., in Chintadrepettah, Popham's Broadway and John Pereira's, and requests that instructions be given to the proper authorities to arrange for the transfer of the lands.
57	Order thereon	28th Septr.	Referred to the Commissioner of Police.
58	Government Pleader, Sudr Udalut.	28th Septr.	Suggests that he be instructed to appear in Court and apply for time to put in the answer in an Appeal case against the Collector of Malabar.
59	Order thereon	28th Septr.	Directed accordingly.
60	Officiating Magistrate of Guntoor.	14th Septr.	Requests sanction for a charge of Rupees 129-8, incurred in the hire of bandies for the carriage of a Detachment of the 29th Regiment N. I., from Masulipatam to the frontier, to guard against an expected attack by Rohillas.
61	Order thereon	29th Septr.	Sanctioned.
62	Resident at Hyderabad, (Telegram.)	24th Septr.	Requests that measures be taken to prevent the Firm of Kissun Chund Soba Chund paying a Hoondee for Company's Rupees 1,200 drawn by Kemjee Seetaram, a Hoondee for that sum having been stolen from the Paymaster's Cash Chest.
63	Order thereon	25th Septr.	Copy of the Telegram furnished to the Commissioner of Police.
64	Commissioner of Police	28th Septr.	Forwards an information on oath taken from Mr. Oakes, of Messrs. Oakes and Co., to whom the Hoondee was sent by a man named Goltchman.
65	Order thereon	28th Septr.	A Telegram despatched to the Resident at Hyderabad, communicating the imformation, and if Goltchman is the thief, requesting that a Warrant be sent for his arrest.
66	Resident at Hyderabad (Telegram.)	28th Septr.	Requests that Goltchman may be arrested and sent there in custody.
67	Order thereon	29th Septr.	Copy of Telegram furnished to the Magistrates of Chingleput and Nellore with directions to arrest the man, &c.
68	Proceedings of the Board of Revenue.	26th August.	Submitting, with explanation, letter from the Collector of Ganjam, &c., for orders, with recommendation that Rupees 60 a month be sanctioned for the *Saderwarid* expenses of the additional 1½ Company of Sebundies lately raised, &c.
69	Order thereon	29th Septr.	Observed that the scale sanctioned in Minutes, No. 126, included the extra charge for the 1½ Company. The Civil Auditor directed to pass Rupees 172-8-0 monthly as the Saderwarid expenses of the whole Sebundy Corps and the pay of a Gomastah, from March last.
70	Commissioner of Police	26th Septr.	Reports the death of a Convict named Khardu Valeef at the Penitentiary.
71	Order thereon	29th Septr.	Recorded.
72	Magistrate of Madura	21st Septr.	Requests to be informed whether he may pay the 10 Rupees offered in order, 17th March in addition to the 50 Rupees sanctioned by

No.	The authority from, and Order thereon.	Date.	Subject.
		1859	the Foujdaree Udalut's Circular Order of the 8th March 1839, as a reward for the re-apprehension of a Convict escaped from transportation.
73	Order thereon	30th Septr.	Direct the Magistrate to disburse Rupees 50 only.
74	Magistrate of Rajahmundry.	18th August.	Submits the name of Lieutenant W. Robertson, 5th Regiment Native Infantry, as Adjutant of the Rajahmundry Sebundies.
75	Order thereon	30th Septr.	Informed that Lieutenant Robertson's services cannot be given.
76	Deputy Commissary General	12th Septr.	Reports that the Acting Inspector General of Ordnance and Magazines does not consider it necessary to add to the large stock of Sulphur in store.
77	Order thereon	30th Septr.	The Collecor of Sea Customs, informed accordingly, and authorized to permit the re-exportation to Pondicherry of the Surphur *ex* Mooroogyen, &c.
78	Commissioner of Police	16th Septr.	With reference to Orders, 30th August and 6th September, Nos. 1164 and 1200, reports that as Government has not relaxed the Order restricting the importation and sale of Sulphur, he has limited the quantity to be sold for domestic purposes to 2 lbs. Suggests that discretion may be allowed him to dispose of each application according to its merits or that Police restriction be entirely withdrawn so far as the sale of stock in hand is concerned.
79	Minute by the President	24th Septr.	Is of opinion, that the restrictions upon the trade of Sulphur are no longer necessary and proposes to recommend to the Supreme Government that they should be removed.
80	Minute by His Excellency the Commander-in-Chief.	24th Septr.	Would be sorry to see the restrictions withdrawn yet.
81	Minute by the Honorable W. A. Morehead.	24th Septr.	Would let matters remain as they are.
82	Order thereon	30th Septr.	Resolve to vest in the Commissioner discretion to dispose of applications for the sale or transport of Sulphur, and direct Messrs. Lecot and Co., and Appasawmy Pillay and Co., to be informed that Government cannot permit them to sell their Sulphur except to parties and in quantities approved by the Commissioner.
83	Proceedings of the Government of India, Home Department.	20th Septr.	Forwarding copy of letter from the Superintendent Port Blair, intimating that the Registers of Heirs to the property, and pension of the men of the Andaman Sebundy Corps, has been sent to the Adjutant General, Madras Army.
84	Order thereon	30th Septr.	Communicated to the Adjutant General.
85	Secretary to the Government of Bombay, (Telegram.)	27th Septr.	Reports the death of the Moplah Out-law Ulaven Mootah.
86	Order thereon	28th Septr.	A Telegram sent to the Magistrate of Malabar and Judge of Honore, informing them accordingly.
87	Adjutant General of the Army.	26th Septr.	Forwards letter from Captain Touch, Deputy Judge Advocate General, reporting the result of the enquiry into the affray at Arcot, and requests to be informed whether the detention in confinement of the men, except Private Brooks, is necessary.

No.	The authority from and Order thereon.	Date.	Subject.
		1859	
88	Order thereon.....	30th Septr....	The Acting Joint Magistrate of North Arcot directed to release the men concerned in the affray, with the exception of John Brooks.
89	Resident at Hyderabad, (Telegram.)	30th Septr....	States that the necessary information on oath regarding Goltchman has been forwarded by Post.
90	Order thereon.....	30th Septr....	Communicated to the Commissioner of Police.
91	Assistant Resident of Travancore and Cochin, in charge.	23rd Septr....	Reports a recent case of kidnapping at Alleppy, and considers that, as the disgraceful practice is common, it is desirable to resort to some extreme measures to prevent its recurrence.
92	Order thereon.....	1st Octr.....	The Assistant Resident directed to impress upon the Rajah the heinous nature of the practice and the necessity for adopting prompt and vigorous measures for its suppression.
93	Special Commissioner of North Canara.	21st Septr. ...	Reports that Lieuts. Giertson's and Drever's descent into Goa in pursuit of the Bund, was unsuccessful, and states the measures adopted to inform the Portuguese authorities of the assistance afforded to the Bund in their territory.
94	Order thereon.....	1st Octr.....	Recorded.
95	Right Honorable the Secretary of State for India, (Despatch, No. 11 of 1859.)	31st Augt.....	Is of opinion, that the Rule admitting public servants to be summoned as witnesses without reference to their official superiors, should be permanently adopted.
96	Order thereon.....	1st Octr.....	Communicated to the Board of Revenue and to the Sádr 'Adálut.
97	Right Honorable the Secretary of State for India, (Despatch No. 12 of 1859.)	31st Augt.....	Approves of the transfer of the Subordinate Court at Rajahmundry to Vizagapatam, and the establishment of a Principal Sudder Ameen's Court at Rajahmundry.
98	Order thereon.....	1st Octr.....	Communicated to the Sádr 'Adálut.
99	Right Honorable the Secretary of State for India, (Despatch No. 13 of 1859.)	31st Augt.....	Considers it unnecessary to enter into any consideration of the correspondence relative to the re-constitution of the Courts of Judicature and the establishment of Courts of Small Causes in the Mofussil, as the subjects will be reported on by the Supreme Government.
100	Order thereon.....	1st Octr	Recorded.
101	Right Honorable the Secretary of State for India. (Despatch No. 14 of 1859.)	31st Augt.....	Reiterates instructions that the report of the Commission for preparing a Statement of arrangements for effecting the union of the Supreme and Sudder Courts, &c., should be submitted to the Government of India.
102	Order thereon.....	1st Octr.....	Recorded.
103	Right Honorable the Secretary of State for India, (Despatch No. 15 of 1859.)	31st Augt.....	In acknowledging the receipt of a Memorial from the Inhabitants of Madras, praying for certain alterations in the constitution of the local Governments in India, requests that the Memorialists may be informed accordingly.
104	Order thereon.....	1st Octr.....	Communicated to Mr. J. B. Norton for the information of the Memorialists.
105	Inspector General of Jails...	19th Septr.....	Requests permission to draw office rent at 50 Rupees monthly from 1st July.
106	Order thereon	1st Octr.. ..	Authorized.
107	Messrs. Taylor and Co.....	26th Septr.....	Intimates that the Widow of the late Mr. Cherry is residing at Madras.
108	Order thereon.....	3rd Octr.....	The Commissioner of Police requested to report whether the person referred to is the Widow of the late Mr. Cherry, &c.
109	Head Assistant Magistrate of Salem.	16th Septr.....	Submits copies and translations of the Depositions, &c., taken before him in examining the charge against one Thomas King, for shooting Ghoolam Hoossain, a Lubbay of Vaniembady, and reports that he has committed him, at his own request, for trial before the Salem Court.
110	Officiating Magistrate of Salem.	28th Septr....	Requests that the translations of Proceedings connected with King's case be returned direct to the Head Assistant Magistrate, who is preparing to commit him for trial before the Supreme Court, as the Prisoner pleaded before the Sub Court of Salem he was a British subject.
111	Order thereon.....	3rd Octr.....	The Documents returned accordingly.
112	C. Streenivass Row, Tahsildar and Head of Police, Ootramaloor Talook, District of Chingleput, (Petition.)	30th Augt.....	Submits, for transmission, Memorial to the address of the Secretary of State for India, praying for the payment of the arrears of salary due to him for the period he was out of employ.
113	Order thereon.....	4th Octr.....	The Memorial forwarded to its address and intimation of its despatch given to Petitioner.
114	Magistrate of Madura.....	21st Septr.....	As, under the revised rules for the examination of Assistants, his Assistant Mr. Thomas is precluded from hearing and determining any criminal cases except those referred to him by the Magistrate, trusts, under circumstances explained, that his case may be deemed exceptional, and that he (the Magistrate) may be allowed to delegate to him a distinct Police charge and easy cases of Revenue detail.
115	Order thereon.....	4th Octr.....	Permit the Magistrate to adopt the course proposed.
116	Magistrate of Malabar.....	17th Septr....	As the Statements of the two Moplahs, Koonia Enajee Kootrayen and Koonia Moideen Bawachee, who accompanied Ulaven Moota to Bombay, are correct, is of opinion, that they may be permitted to return to Malabar.
117	Order thereon.....	4th Octr.....	The Bombay Government requested to release the two Moplahs.
118	To the Secretary to the Government of Bombay.	4th Octr.....	Make the request accordingly.
119	Deputy Register of the Court of Sudder Udalut.	22nd Septr...	States that the Judges, under circumstances represented, and as suggested by the Civil Judge of Nundial, recommend Government to sanction the temporary employment of an additional Moonsiff for 8 months.
120	Order therecn.....	4th Octr.....	Authorize the establishment of a 3rd Class District Moonsiff's Court in the Zillah of Nundial, at a monthly cost of 160 Rupees.
121	To the Secretary to the Government of India, Home Department.	4th Octr.....	Forward copy of the Sadr 'Adálat's letter and solicit sanction for the continuance of the establishment authorized by this Government for a period of 8 months.
122	Register of the Court of Sudder Udalut, &c.	29th Septr....	In reporting his departure on the 3 months' leave granted to him, enquires whether he must return by the 26th December or whether it will suffice if he is at his post when the Court re-opens on the 2nd January.
123	Order thereon.....	4th Octr.....	Informed that it will be sufficient if he rejoins on the 2nd January.

Exd. F. Cartledge.