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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1987-	Press
60-61	Mis.
Dated 6.12.1862	

6/8

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
6th December 1862.*

No. 60. Read the following letter from the Honorable D. ARBUTHNOTT, Magistrate of Salem; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Salem, 3rd December 1862.

The District Munsiff of Namakul and the Tahsildar of Namakul having been committed to take their trial for Perjury before the Session Court of Salem, have, I understand, retained Mr. Mayne of the Madras Bar to defend them. Under these circumstances I beg to suggest that Government should send the Judge Advocate General or other qualified person to conduct the prosecution.

2. The trial will commence on Monday the 8th instant.

No. 61. ORDER THEREON, 6th December 1862, No. 1,987.

His Excellency the Governor in Council does not think it necessary to depute one of the Government Law Officers to conduct the prosecution in the cases referred to in the foregoing letter. This course could not be taken except at considerable inconvenience and expense, and on perusal of the statement of the cases submitted by the Magistrate, the Governor in Council does not consider that they are such as to demand the special interposition of Government.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Statement of the case against the
Sahibdar & District Messrs of
Humbly.

About the month of February
last a Brahmin priest named
Vasudev had been visited here
at the purpose of feeding
the priest the District Messrs
of Humbly in concert with the
Sahibdar got up a subscription
from his first Votaries & others.
The Messrs have on hand

writing drew out the subscription
list and collected the contributions
of some of the subscribers to them
in the presence of the District

This subscription list some how
or other got into the hands of
Sashington one of the Va. Re. Co.
the District Attorney's friends
eventually about the 22^d of Sept.

last, produced the list before
the Civil Judge Mr. Perry, who
doubting the genuineness of the
list referred the case to the
District Judge Sashington
charge of the District Division

The said Sashington in producing
the said list before the Civil Judge
stated that the same were in
fact were collected by the
for his own purposes - In the
saying however before the Dist.
Magistrate as to the genuineness
of the list, the District Attorney
acted as a witness, denied the
writing in the list to be his and
evidence adduced in the saying
went to show that the District
did collect subscriptions for
the purpose of funding the price
but Sashington having filed

to prove that the subscription
is collected by the means
of private purposes of the
he (Sachinvar) was
by the 2nd of August to
100 Rupees for a false
under Sec 211 of the
code -

In the inquiry also
to the Sahildar who
as a witness by the
on his affirmation that
he did not know of
Dissip raised or
subscriptions or any
whereas he was acting
aiding & abetting

on the occasion of his collecting
subscriptions for the purpose
of feeding the press as above
state -

The Dist. Magistrate & the
Sahildar of how much now stand
charged & committed to the
court in two separate cases on
charge of false evidence, the
District Magistrate having, on
solemn affirmation, said that he
has handwriting in the list, which
is in fact of the
handwriting of the Sahildar

in having denied his knowledge
of the facts of the mooning having
aided & collected subscriptions
as above, whereas he was present
with the mooning at the time
& was aiding & abetting them.

The above charges against
the two officers are to the best
of my belief supported by credible
=& peachable testimony, but
seeing that the accused have
retained counsel for ^{their} defense
~~and that for the prosecution~~
~~and that for the prosecution~~
I think it but right
that counsel should be retained
for the prosecution also.

The said two officers had
the greatest influence in their
District, & it is well known that
they in an open court before the
deputy magistrates stated a
falsehood & deliberately on solemn
affirmation, & for the sake of
example, it is most necessary
that such men should not
escape from want of ability on
the part of the prosecution.

The above is a correct
precis of the case written
by C. Ramaswamy Inspector
of Police. D. B. B. B. B. B.

List

Read letter under date
the 3rd inst from the Magistrate
of Salem.

8th December 1862 No. 1984
H. S. the J. in (has not
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of the cases submitted
to the Magistrate the former
Magistrate does not consider
that that they are such
as to demand the special
interposition of Govt.
to the Magistrate of Salem
D. C. M. S.

