M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 194 Press ~~Mis.~~

50-51

Dated 5-2-1863 ~~19~~ .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
5th February 1863.

No. 50. Read the following letter from E. B. FOORD, Esq., Acting Magistrate of Kistna District; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Masulipatam, 24th January 1863, No. 23.

Para. 1. In continuation of my letter dated 15th instant, No. 16, and to strengthen the arguments therein made use of, I have the honor to forward copy of a letter, connected therewith, from my Head Assistant.

2. My reasons for writing to him on the subject were, that when I lately passed a day at Bezwarah, I was informed by Dr. Miller, the Medical Officer stationed there, that he had seen some Artillerymen Impressing Cattle in that town, when a detachment of a Battery* was halted at Bezwarah en route to Secunderabad, and that when he remonstrated with them, they told him that they were merely obeying the orders of their Commanding Officer.

* B Battery, 14th Brigade Royal Artillery.

3. This occurred during the Christmas holidays, when Mr. Wilson was absent from his station.

4. A complaint of assault against the Officer† Commanding the Battery preferred by a servant of the Bullock Contractor was subsequently forwarded to me by the 2nd class Sub-Magistrate of Bezwarah Talook, which I forwarded to Mr. Wilson for report, and I at the same time requested him to inquire about the Impressment of cattle witnessed by Dr. Miller.

† Captain Hall.

5. As Mr. Wilson states, it would be impossible, at this distance of time, to make this the subject of a Judicial inquiry; but I deem it my duty to request you to lay the matter before Government with a view to their taking such steps as they may deem fit.

6. The necessity for the Magistrate stationed at Bezwarah being also a Justice of the Peace, needs, I think, no further comment from me.

From W. WILSON, Esq., Acting Head Assistant Magistrate; to E. B. FOORD, Esq., Acting Magistrate Kistna District, Masulipatam, dated Condapally, 14th January 1863, No. 1.

In answer to your letter No. 11, dated 10th instant, with its enclosures,‡ I have the honor to forward for your perusal the deposition of Perneedoo§ taken upon oath before me yesterday. From this you will perceive that the charge of assault would be difficult to prove as no witnesses are called in support of the allegation.

‡ Returned.

§ A servant of the Bullock Contractor.

I did not examine the deponent about the alleged impressment of bandies, as he knew nothing personally of the matter. That bandies were impressed on this occasion, is I believe, true, for Dr. Miller mentioned to me on my return from Gudwadah that he had been himself a witness to it, and had interfered by warning the Artillerymen, of the illegality of their conduct. It would be almost impossible, at this distance of time, to make this the subject of a Magisterial inquiry, as it would be difficult to identify the actors, and thereby to inculpate the Officer Commanding: such cases ought to be disposed of at once, but not being Justice of the Peace, I have no jurisdiction over European British subjects. The Magistrate stationed at Bezoarah ought, I think, to be in all cases a Justice of the Peace. The cases of assault on Bandy Contractors, Boat Calasies, and others are, I am sorry to say rather numerous. Men frequently come up to me with the marks of recent violence, but I am only able to refer them to you. The present complainant appeared before me one morning lately, with his lip cut and swollen from a blow received from an Artillery Officer. Something ought to be done to remedy this, and the best way will be by making the Magistrate stationed at Bezoarah a Justice of the Peace.

(True Copy.)

(Signed). E. B. FOORD,
Acting Magistrate.

Proceedings of the Madras Government, Judicial Department,
5th February 1863.

No. 51. ORDER THEREON, 5th February 1863, No. 194.

Referred to the Military Department, in advertence to the remark in paragraph 5.

2. Mr. Wilson has already been appointed a Justice of the Peace.

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

Exd. T. McMoctry.

No. 194 — 5th February 1863

Referred to the Milly. Dept., in adverlence to the remark in para 5.

2. Mr Wilson has already been appointed a Justice of the Peace

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" Magistrate
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