

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	14 53	Press Mis.
²⁴⁻²⁵ Dated	4 - 10 -	19 1864

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
4th October 1864.*

No. 24. Read the following letter from J. FRASER, Esq., Officiating Magistrate of the Godavery District; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Cocanada, 20th September 1864, No. 309.

I have the honor to forward copies of correspondence that has passed between the Acting Head Assistant Magistrate, Sessions Judge, and myself, regarding the proper Department to pay for the cost of a new drop cloth purchased for the gallows at Rajahmundry, on the occasion of an execution that occurred there lately.

2. So far as I know, and certainly at Chittoor, the Magistrate had nothing whatever to do with the providing the means of executing criminals, or any thing connected with the ceremony. The gallows, the rope, the cap, every thing in short, was found by the Jailer, from what funds I know not; and he had the grave dug afterwards and the body of the criminal buried. The Magistrate merely received the man from the Jailer's custody, and saw that he was hanged by the neck till he was dead—there his duties ended.

3. I have never seen a drop cloth used hitherto, and do not know whether you will consider such necessary; but I beg to be informed who is the proper person to provide all the necessary means and appliances for the carrying into effect a sentence of death by hanging passed on a convict.

From H. LINTON, Esq., Acting Head Assistant Magistrate; to J. FRASER, Esq., Officiating Magistrate of the Godavery District, dated Rajahmundry, 10th September 1864.

I have the honor to forward herewith an Arzi dated 7th instant, No. 392, received from the Tahsildar of Rajahmundry Taluq, and to request that you will be good enough to sanction the disbursement of the sum therein mentioned, being the cost of a black cloth which is hung round the drop at an execution.

From J. FRASER, Esq., Officiating Magistrate of the Godavery District; to J. R. KINDERSLEY, Esq., Acting Session Judge of Rajahmundry, dated Cocanada, 14th September 1864, No. 299.

With reference to the enclosed copy of an Arzi from the Tahsildar of Rajahmundry, to the Head Assistant Collector, dated the 7th instant, I have the honor to request you will order the payment to him of Rupees 7-14-0 being the price of a drop cloth bought for the gallows, and cost of having it colored, if you consider such charge necessary or if it is customary. Such charges have been hitherto defrayed by your Court, and I have no means of meeting them.

From J. R. KINDERSLEY, Esq., Acting Session Judge, Rajahmundry; to J. FRASER, Esq., Acting Magistrate of the Godavery District, dated Rajahmundry, 15th September 1864, No. 87.

In reply to your letter of the 14th instant, No. 299, requesting me to pay for a new drop cloth for the gallows at Rajahmundry, such charges having hitherto been defrayed by the Court, I have the honor to inform you that when executions were carried into effect by the establishment of the Jail, the expenses were borne by that Department and not by the Court.

2. The Inspector General of Prisons would probably object to such charges, now that the executions are carried out by the Magistracy. It seems also to be more convenient that such payments should be made by order of the officer who is personally cognizant of the circumstances under which the expense became necessary. In the present case two persons, yourself and the Tahsildar, intervene between me and the officer who superintends the executions.

dry
piece of sails.

master.

*Proceedings of the Madras Government, Judicial Department,
4th October 1864.*

3. If, under these circumstances, you still think that the charges of execution should not be borne by your Department, perhaps you will be good enough to refer the question to the proper authority.

(True Copies.)

(Signed) J. FRASER,
Officiating Magistrate.

No. 25.

ORDER THEREON, 4th October 1864, No. 1453.

The Governor in Council observes that it was not intended by the Order of the 13th October 1862, No. 1682, which directed that an Assistant Magistrate, instead of the Session Judge, should superintend the carrying out of public executions, that any change should be made in other respects. All expenses incidental to executions must, as formerly, be borne by the Jail Department, under the orders of the Inspector General.

(True Extract.)

Secretary to Government.

To the Magistrate of the Godavery District.
" Session Judge of Rajahmundry.
" Inspector General of Jails.
" Civil Paymaster.

Exd. T. Cartledge.

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Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

*Read letter from the Magistrate
of the Godavery District - Inter 20. Sept. '64 N^o 1453.*

Order - 1. October 1864 N^o 1453.

The Governor in Council observes that it was not intended by the Order of the 13th Oct. '62 N^o 1682 ^{which} directed that an Assistant Magistrate, instead of the Session Judge, should superintend the carrying out of public executions, that any change should be made in ~~any~~ other respects. All expenses incidental to executions must as formerly be borne by the Jail Dept. under the orders of the Inspector General.

*The Magistrate of the
Godavery District.
" Session Judge of Rajah
mundry.
" Inspector Genl. of Jails.
Civil Paymaster.*

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Admission 1867. Department.

No. 14, 23.

PROCEEDINGS of GOVERNMENT.

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