M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No.	1521	Press ~~Mis.~~
151-152 Dated	21-10- ~~19~~ 1864	

4/5

Not to be folded or roughly handled

No. 151. Read the following letter from E. C. BAYLEY, Esq., Secretary to the Government of India ; to J. D. SIM, Esq., Secretary to the Government of Fort Saint George, dated Simla, the 8th September 1864, No. 2540.

Home Department.

I am directed to acknowledge the receipt of your letter, No. 1157, dated the 30th July, requesting sanction for the employment of an increased number of messengers in the Courts named therein, at an aggregate cost of Rupees 5712 per annum.

2. The Governor General in Council observes that the case of the Nundial or Kurnool Court, on which the application is partially founded, proves only that the building was *very ill* protected by fastenings, and that there was an omission (which the Judge ought to have brought to notice sooner) to protect the Court House, during the day, on *holidays*. On other days, it is expressly stated that a Court peon daily takes charge of the Court House from the two Constables who sleep there every night. The thief was doubtless made bold by the neglect to place any one in charge of the Court House on Sundays and Native holidays ; and on his *third* attempt at theft, he fell in with one of the Court peons, and was seized. But it seems pretty clear that he commenced his robberies on the Court House, having ascertained that, on holidays, it was usually unprotected.

3. Dismissing the Kurnool case, the Governor General in Council notices the representation of Mr. Collett, the Judge of Vizagapatam, as to the insufficiency of the present number of peons. His statement, however, which is contained in paragraph 2 of his letter to the Madras Government, dated the 8th April, amounts, I am desired to state, to nothing but a simple expression of opinion ; and though it is supported by the opinion of the late Sudder Court, it seems to His Excellency in Council that a fuller explanation of the actual necessity for increase of establishment to each Court is desirable before the Government of India can properly assent to an increased expenditure of Rupees 5712 per annum.

4. The Judge of Vizagapatam urges not only the point of Police duty, but also that the business of the Court cannot be carried on in the orderly and becoming manner it ought to be with the present number of peons. *This* point, it is presumed, must have been fully considered when Mr. Pelly made his revision ; and the Governor General in Council feels very unwilling to accept any such general representation on the point as that put forward by Mr. Collett.

No. 152. To the Honorable Sir C. H. SCOTLAND, Knight, Chief Justice of Her Majesty's High Court of Judicature, Madras, dated Fort Saint George, 21st October 1864, No. 1521.

I am directed to transmit to you the annexed copy of a letter from the Secretary to the Government of India in the Home Department, conveying the remarks of the Governor General in Council, and calling for further information with reference to the application for authority to increase the establishment of peons and messengers in certain Civil and Session Courts made in Mr. Sim's letter of the 30th July last, a copy of which is enclosed.

2. I am to request that you will favor the Governor in Council with any remarks the Honorable the Judges of the High Court may deem it proper to make, with reference to the observations of the Supreme Government.

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

made

desp 26 Jan

No. 1521 Judicial Department

To The Honorable Sir C. A Scotland Kt.
Chief Justice of the High Court of
Judicature at Madras.

Hon'ble Sir

I am directed to transmit to you the annexed copy of a letter from the Secretary to the Government of India in the Home Department, conveying the remarks of the Governor General in Council and calling for further information with reference to the application for authority to increase the establishment of peons and messengers in certain Civil and Sessions Courts

made

Writ of 1st Oct 1864

Judicial 1864 Departt

No. 1521.

To
The Hon'ble
The Chief Justice of the
High Court of Judicature
Madras

Dated 21 October 1864.
Fk. 2433.

Pro. No. 328-30
30/7/64

157. 152

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of the 30 th July last, a
copy of which is enclosed.

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the observations of the
Supreme Government.

I have &c
21st October 1861