M.R. O. 1—82,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1811 Press Mis-

182-18h Dated 15-12- 19 1864

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 15th December 1864.

Read the following papers:—

No. 182. From Mr. J. D'SILVA, Principal Sudder Ameen of Calicut, to the Chief Secretary to Government, Fort Saint George; dated Calicut, 14th November 1864, No. 140.

I have the honor to report the following case for the orders of His Excellency the Governor in Council.

2. On the 26th May last, a sum of Rupees 27-12-3, and certain effects consisting of wearing apparel, &c., were handed over by Captain Davies, the Acting Superintendent of Police, South Malabar, and taken under the charge of this Court, as belonging to the late Head Constable Francis of this District, who died intestate, on the 13th January last, at Vellore. The effects, having been sold by public auction, have realized the net sum of Rupees 10-15-1.

3. It appears that the deceased was an inhabitant of Vellore, and that, after his death, part of his pay was there paid to some individual or other. I doubt whether I would be justified in interfering with the estate of an individual who died out of my jurisdiction, and, therefore, solicit instructions.

No. 183. From Captain M. W. CARR, Assistant Inspector General of Police, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Madras, 5th December 1864, No. 2482.

Account Department.

In the absence of the Inspector General of Police, I have the honor, with reference to your Memorandum, dated 23rd November 1864, No. 603, to submit copy of a letter, with enclosure, from the Superintendent of Police, South Malabar, explaining the circumstances under which the payment of Rupees 27-12-3 was made to the Principal Sudder Ameen of Calicut, on account of the estate of Head Constable Francis, deceased.

2. I beg to return the enclosure received with your Memorandum under reply.

From Captain A. M. DAVIES, Superintendent of Police, South Malabar, to Captain M. W. CARR, Assistant Inspector General of Police, Madras; dated Calicut, 1st December 1864, No. 565.

I have the honor, in reply to your endorsement on Memorandum, No. 633, dated 23rd ultimo, from the Chief Secretary to you, to state that, two days prior to his death, Head Constable Francis (who was on leave at Vellore) went to the office of the Superintendent of Police at Vellore, and requested that his pay, on its receipt from South Malabar, might be given to his brother; a reference was made to me, no other claimant appeared, and I sanctioned the amount* to be paid as the Head Constable had requested.

* Rupees 39-2-0, pay for October and November 1863.

2. A second remittance was sent from this office to be paid to the Head Constable's heir; but the widow and the brother both claimed the amount,† the latter producing a paper said to be signed by the late Head Constable leaving him the money, so the latter amount was returned by the Superintendent of Police to me, and was then paid into the Principal Sudder Ameen's Court at Calicut.

† Rupees 27-12-3 pay for December 1863, and 13 days in January 1864.

Copies of letters, Nos. 4 and 10, dated, respectively, 15th and 27th January 1864, are herewith forwarded.

(True Copy.)

(Signed) M. W. CARR,
Asst. Insp. Genl. of Police.

Proceedings of the Madras Government, Judicial Department, 15th December 1864.

From Lieutenant T. B. BOONE, Assistant Superintendent of Police, North Arcot District, to the Superintendent of Police, South Malabar; dated Vellore, 15th January 1864, No. 4.

With reference to your letter, dated 22nd ultimo, received on the 8th instant, I have the honor to inform you that Head Constable Francis died on the 13th instant, at this station. However, two days prior to his death, he came to my office and requested that, as soon as the order for his pay is received, to pay it to his brother. The order for the money, according to your transfer receipt, not having been received until the 14th instant from the Deputy Collector in charge of the Treasury at Chittoor, it has not been paid at an early date. I, therefore, request to know whether the pay of the deceased Head Constable be given to his brother, and a receipt obtained from him.

(True Copy).

(Signed) A. M. DAVIES, Captain,
Superintendent of Police, South Malabar.

From Lieutenant T. B. BOONE, Assistant Superintendent of Police, North Arcot District, to the Superintendent of Police, Malabar and Canara; dated Vellore, 27th January 1864, No. 10.

With reference to your letter, dated 19th instant, I have the honor to enclose a receipt obtained from the brother of the deceased Head Constable Francis, in proof of his having received his pay for October and November 1863.

2. The above man has stated before me that he has some debts which was incurred by his brother Francis to be cleared up, and requests that the pay due to his brother up to 13th January 1864 may be sent here as early as possible.

(True Copy).

(Signed) A. M. DAVIES, Captain.,
Superintendent of Police, South Malabar.

No. 184. ORDER THEREON, 15th December 1864, No. 1811.

As it appears that the late Head Constable Francis died at Vellore, that his brother and widow were there, and that a portion of the arrears of salary due to the deceased has already been disbursed at that station, the Governor in Council considers that the Principal Sudder Ameen of Calicut might properly remit the sums of money, referred to in his letter, to the Civil Judge of Chittoor, to be dealt with under Regulation III of 1802, Section 16, Clause 7.

2. Under the circumstances, the Principal Sudder Ameen should publicly notify the transfer of the estate, and the Superintendent of Police, North Arcot, make an intimation to the same effect to the brother and widow of the deceased.

3. The Principal Sudder Ameen has acted prematurely in disposing of the effects of the deceased, this will be pointed out to him by the Civil Judge of the Zillah.

(True Extract).

Chief Secretary.

To the Civil Judge of Calicut.
„ Civil Judge of Chittoor.
„ Inspector General of Police.

Exd. J. H. Burns.

No. 603. Judicial Dept.

Memorandum — Department.

The Chief Secretary has the honor to request that the Inspector General of Police will be good enough to ascertain and inform him by whose authority and under what circumstances the payment referred to in para 2 of the accompanying letter was made.

(Signed) A. J. Arbuthnot
Chief Secretary

Fort St. George
25th Nov. 1864

To The Inspector General of Police

OVERNMENT.

er 14 Nov. '64 No. 140.

— 5 Dec. — 2482.

December 1864 No 1811.

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Ameen

Ameen of Calicut might properly remit the sums of money referred to in his letter, to the Civil Judge of Chittoor to be dealt with under Reg. III-02 § XVI - Cl. 7.

2. Under the circumstances, the Principal Sudder Ameen should forthwith notify the transfer of the estate, & the Superintendent of Police, North Arcot, make an intimation to the same effect to the brother and widow of the deceased.

3. The Principal Sudder Ameen has acted prematurely in disposing of the effects of the deceased. This will be pointed out to him by the Civil Judge of the Taluk.

The Civil Judge of Calicut.
" Civil Judge of Chittoor.
" Inspector Genl. of Police.
despd 22/12

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Judicial 1864. Department.

No. 1811.

PROCEEDINGS *of* GOVERNMENT.

Dated 15th Dec/64

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S/o Dec 1815.