

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 393

Press
~~Mis.~~

218-220

Dated

18 — 3 — 18.64

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
18th March 1864.*

Read the following papers:—

No. 218. From R. DAVIDSON, Esq., Acting Session Judge of Nundial; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, Madras, dated Kurnool, 18th December 1863, No. 20.

As the High Court have in their letter of the 25th ultimo, copy* of which is enclosed, declined to express any opinion regarding the measures that ought to be adopted to ensure the efficient guarding the Court House here, and have referred me to Government, I have the honor to enclose copy† of my letter, No. 63,

* Enclosure No. 2.

† Enclosure No. 1.

of the 9th ultimo, reporting three different cases of house-breaking and theft in this Court House by night, within as many weeks, and trust that some more efficient mode than that in force may be devised and sanctioned for ensuring the safe custody of the Court property.

From R. DAVIDSON, Esq., Acting Session Judge of Nundial; to C. F. CHAMIER, Esq., Registrar of the High Court of Judicature, Madras, dated Kurnool, 9th November 1863, No. 63.

With reference to the Order of Government, dated 22nd April last, No. 620, withdrawing the Police guards from the Courts, and entrusting them at nights to the care of the ordinary beat watchmen, I have the honor to report, for the information of the Chief Justice and Judges, that during the last fortnight two cases of house-breaking and theft have occurred in this Court, notwithstanding the strict observance of the said order in making over the charge of the building, locked and sealed at nights, to Police Constables.

2. On the 12th ultimo the Criminal Record-room was broken into, the records scattered about, and some Duster cloths stolen; but no records have been lost.

3. Again, last night two panes of glass were broken in the window of the Judge's chamber, the bolts withdrawn and an entrance effected, and the different room-doors inside the Court were opened. The Criminal Record-room was again broken into, and some more Duster cloths are missing, but no records seem to have been lost, as far as has yet been discovered by the record-keeper who is at present engaged in examining the records.

4. Due inquiry is now being made into the case, but it is quite apparent that the present means of protection are altogether inadequate: and though there is no money kept in deposit in the Court, there is about Rupees 300 worth of property belonging to prisoners confined in Jail, besides about Rupees 1000 worth of stamps belonging to the stamp vendor, as well as some property found on the under-trial prisoners, and as it cannot, in my opinion, be the least important duty of the Police to guard the Court property, I would beg to suggest the necessity either of reverting to the former system of having a fixed guard of Constables at night and during Sundays, or of making some other provision to ensure the safety of Court property.

P. S.—Since drafting the above, the Court has again been broken into during the night, and one, at least of the robbers has been apprehended at the premises through the instrumentality of one of the Court messengers.

From C. F. CHAMIER, Esq., Registrar of the High Court of Judicature at Madras, Appellate Side; to R. DAVIDSON, Esq., Acting Session Judge of Nundial, dated Madras, 25th November 1863.

I am directed to acknowledge receipt of your letter, dated the 11th instant, reporting that the Court House has been several times broken into at night, and recommending that the system of having a guard to watch the property be reverted to, in lieu of leaving it merely to the care of Police peons going their rounds.

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18th March 1864.*

2. In reply, I am directed to state that the Judges do not consider it within their province to express any opinion on the subject. If you desire the present arrangement to be modified, they think you should address the Inspector General of Mofussil Police, or the Government.

(True Copies.)

KURNOOL,
18th December 1863.

(Signed) R. DAVIDSON,
Acting Session Judge.

Referred to the Inspector General of Police for his remarks.

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

No. 219. From W. ROBINSON, Esq., Inspector General of Madras Police; to A. J. ARBUTHNOT, Esq., Chief Secretary to the Government of Fort Saint George, dated Koteheri, 11th February 1864, No. 429.

General Department.

With reference to the letter from the Judge of Kurnool noted in the margin, I have the honor to report that the Court House was broken into during the day on all three occasions, twice on Sundays and once on a Native holiday.

* 25th October 1863.

† 8th November 1863.

‡ 10th November 1863.

On the first* occasion the padlock, a weak one, was wrenched off the door of the Record-room. On the second† occasion a pane of glass was broken, and a bolt withdrawn. On the third‡ occasion entrance was effected by pushing the hand through a piece of paper that had been pasted over an unrepared window.

3. The Court House is watched throughout the night by the Police. After day-break the Court attendants are in charge. The night arrangements have proved effectual. The entrances were all effected by day. I trust that the Judge will be able to manage, through his own establishment, to prevent house-breaking in broad day-light. In the meantime, the Superintendent will, as a temporary measure, send a Constable to watch the Court House during Sundays and holidays.

4. Very little property was lost. The culprit, an old offender, has been sentenced to 14 years' transportation.

5. Again, I would take an opportunity of begging the Government to urge on officers the necessity of adopting the reasonable precaution of getting their Public offices fairly secured by locks and bars. The Court House at Kurnool is very insecure. Doors and windows are of glass, without shutters or substantial fastenings. What is to be expected when a piece of paper is pasted over a broken window?

6. I forward likewise the Memorandum of the Superintendent of Police, and Deputy Inspector General.

No. 4.

MEMORANDUM.

The Court House was entered thrice during the day by the prisoner Hyat Khan on his own confession. The first time the Court was broken into was Sunday, the 25th October 1863, when some Dufter cloths were stolen from the Record-room. The two Constables who went to sleep there on Sunday evening, finding the Record-room opened, pointed out the same to one Ramannah, a Court peon, who had been on duty there during the day; and Ramannah then put a lock on the door.

2. The second time was Sunday, the 8th November 1863, when some Dufter cloths and half a bottle of Sherry were carried off. The third and last entrance was effected on the 10th

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November 1863, a Native holiday, when the Court was closed, on which occasion the prisoner again regaled himself with the Judge's Sherry, and on leaving the building at 8 A. M. was seen, apprehended and handed over to the Police by a Court messenger who daily takes over charge of the Court House from the two Constables deputed to sleep there every night. Part of the property stolen from the Court was recovered by Police Inspector Mr. Vardon. A petty officer of the Police is always present when the Court closes, and the building locked up. The custody is then put under two Constables from the Reserve, on whom the work falls hard, as they have been on duty all day; but this cannot be obviated, as the distance of the Court House from the town renders it impossible for the watchman of the beat effectively to look after it.

3. The Court House is visited regularly several times during the night by a petty officer from the Reserve.

4. During the day the building is in the custody of the Court peons.

5. The prisoner, Hyat Khan, is now under trial before the Sessions Court on these and several other charges.

KURNOOL DISTRICT,
6th January 1864.

(Signed) W. ROBINSON,
Superintendent of Police.

The Superintendent of Police states that the Court House was broken into on each occasion by day and not by night as stated in Mr. Davidson's letter. The offences were committed twice on a Sunday and once on a Native holiday by the same man, one Hyat Khan, who would appear to be a professional house-breaker, since he has also broken into the houses of four or more European gentlemen. He is now under trial for these offences, and will doubtless be convicted as almost all the stolen property was found in his possession. The arrangements made at night for the security of the Court House appear to be sufficient, but the building is evidently unprotected when the Court is closed during the day. The Superintendent has been instructed to place a watchman there on such occasions. I cannot see any necessity for a regular guard. The Court House is adjacent to the houses of the Collector and Superintendent of Police.

(Signed) C. S. HEARN,
Deputy Inspector General of M. Police.
11th January 1864.

No. 220. ORDER THEREON, 18th March 1864, No. 393.

The Inspector General of Police reports in the foregoing letter that in all the three cases of house-breaking, reported by the Sessions Judge of Nundial to have occurred in his Court House in October and November last, the entry was effected during the day when the building was not under the charge of the Police. Mr. Robinson states that as a temporary measure he has directed a Constable to watch the Court House on Sundays and holidays, but the Government agree with him in thinking that the Judge should arrange for the safe custody of the Court House during the day time by his own establishment. The night arrangements already in force have, it appears, proved effectual.

2. It appears, however, from Mr. Robinson's report that the Court House at Nundial is in a most insecure state, and that this absence of reasonable protection for the property lodged in public offices in the Mofussil is not peculiar to Kurnool. The Governor in Council resolves therefore to call upon all Civil and Sessions Judges to furnish a report on the state of the Court Houses in their respective Zillahs in this respect, stating at the same time the nature and probable cost of any improvements that may be required.

(True Extract.)

A. J. ARBUTHNOT,
Chief Secretary.

To the Inspector General of Madras Police.
Civil and Sessions Judge of

Exd. J. Tulloch.

Judicial 7

Recd letter from the Ag Session Judge, Hummel 18 Dec/63.
" Insp Genl of Phil " 11 Feb 1864

Under memo 18th March 1864 No. 393.

The Inspector General of Police reports in the foregoing letter that in all the three cases of housebreaking reported by the Depone of Hummel to have occurred in his Court House in October & November last, the entry was effected during the day, when the building was not under the charge of Police. Mr. Robinson states that as a temporary measure he has directed a constable to watch the Court House on Sundays & Holidays but the JPs agree with him in thinking that the Judge should arrange for the safe custody of the Court House during the day time by his own establishment. The right arrangements already in force here it appears proved effectual.

Now it appears however from the Mr. Robinson's report that the Court

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where it stands is in a most
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& Council resolves therefore
to call upon all Civil & Criminal
Judges to furnish a report on
the state of the Court houses in
their respective districts in
this respect, stating when
at the same time
& describing the nature & probable
cost of ^{any} improvements
that may be required.
B.H.

To the High Court of the Queen
Civil & Criminal Judges of the
22 districts - } despatch 19/3

Journal 1864 Sept

A. 893.

Proceedings of the
House of Representatives

I acted 13th March 1864
673-674 682-699-821-882-
929-981-815-941-1096-1106
907-1361-1188-1822-1182
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of A. 587-644-648-652
763-970. 807- 860.

Calling upon all the friends
of the Union to forward a
report on the various abuses
of the Court Houses in their
respective districts & stating
at the same time the modes
of suitable cost of any
improvements that may
be required