M.R.O. 1—33,000—16-12-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1105 1056 Press Mis.

69-21

Dated 9 — 8 — 19 1865

6/9

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 9th August 1865.

No. 69. Read the following letter from W. ROBINSON, Esq., Inspector General of Police, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Madras, 8th April 1865, No. 753.

General Department.

One hundred and twenty-nine (129) Warrants for the apprehension of coolies, for breach of contract, were recently countersigned by the Magistrate of Canara in one day, and sent to the Police for execution.

2. The Warrants had been forwarded to him by the Deputy Superintendent of Hassan in Mysore.

3. I venture to solicit the attention of Government to the point.

4. Here we have at least 100 men taken from their proper duty to hunt runaway coolies; many will be engaged for days. The cost to the State is very great. It is not properly a public charge.

5. Again who is to pay the batta of this large body when under escort after arrest?

6. The Magistrate expresses his doubts whether the coolies are conveyed to Manyerabad at the expense of the planters. This is requisite to bring their case within the provisions of Section 492, Indian Penal Code.

7. About the same time, upwards of 20 similar Warrants were issued, at the instance of a Native planter, by the Sub-Magistrate of Mangalore. It has been found almost impossible to execute them.

8. Fictitious names, or *aliases*, or incorrect residences and parents' names, which are frequently given by the coolies, greatly increase the difficulty experienced and time wasted in executing these processes.

No. 70. ORDER THEREON, 9th August 1865, No. 1105

The Government resolve to call the attention of the Commissioner of Mysore to the heavy labor which is entailed on the Police of Canara by the issue of Warrants for the apprehension of runaway coolies, in the number adverted to in the letter of the Inspector General of Police, and to suggest that the Magistracy of Mysore should be directed to abstain from issuing such Warrants, unless satisfied that the coolies complained against had been brought to the coffee estate at the cost of the complainant.

2. The Magistrate of Canara will send up to Government copies and translations of three or four of the Warrants referred to. He will also explain why the Police were employed in executing the Warrants referred to in the 7th paragraph of Mr. Robinson's letter, which should, apparently, have been executed under the provisions of Act III of 1863.

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

No. 71. To the Commissioner for the Government of the Territories of His Highness the Maha Rajah of Mysore, dated Fort Saint George, 9th August 1865, No. 1106.

I am directed by the Governor in Council to forward to you a copy of a letter received from the Inspector General of Police in this Presidency, remarking on the

large number of Warrants for the apprehension of coolies, for breach of contract, issued by the Magistracy of Mysore, and forwarded for execution by the Police of South Canara.

2. I am directed to suggest, for your consideration, whether it would not be advisable to instruct the Magistracy of the Mysore territories not to entertain complaints of desertion of coolies under the provisions of the Penal Code, unless satisfied that the coolies were brought to the estate at the expense of the complainant, which alone would legalize the issue of Warrants for their arrest under the Code.

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

Exd. J. H. Burns.

of such a number of
warrants for the appre-
hension of both mur-
derers and supporting
that the Magistrates
should be justified
from issuing such
warrants except in the
case of murder brought
from a distance at the
expense of the complainer.

It does not appear why
the Police must employ
in serving the warrants
issued by the Judge
of Inverness. The 1st
provision of Act III
of 1861 might have
been brought into play.
The Judge might be
called on for explanation
on this point.

I think this will be the
proper course. Mr Fleming
ought not to object to the
issue of a circular pointing out
that the Magistrates, before
granting warrants of the kind
should satisfy themselves that
the Coroner's complaints against
had been brought to the coffer
relative at the cost of the
complainer.

It would be well, I think, to
direct the Clerk of Justiciary to
send the Sheriff Clerks of Inverness
& Ross copies of the Warrants under
notice.

WM

Send do this.

WM

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Inspector General of Police
(Here enter 8th April 1865 No 753)

Order thereon 9th August 1865 No 1105

The Government resolve
to call the attention of the
Commissioner of Mysore to
the heavy labor which is entailed
on the Police of Canara by the
issue of warrants for the
apprehension of runaway
Coolies in the number adverted
to in the letter of the Inspector
General of Police and to suggest
that the Magistracy of Mysore
should be directed to abstain
from issuing such warrants
unless satisfied that the
Coolies complained against had
been brought to the Coffee

estate

estate at the cost of the com-
-plainant.

2 The Magistrate of Canara will send up to Government copies and trans-
-lations of three or four of the warrants referred to. He will also explain why the Police were employed in executing the warrants referred to in the 7th para of Mr. Robinson's letter which should, apparently, have been executed under the provisions of Act III of 1854.

3

Chief Asst Secy of Police
" Magistrate of S. Canara

Judicial Department

No. 1105

To

The Commissioner for the
Government of the Territories of
Cape Colony & the Islands of Saint
Helena Ascension
& Tristan d'Acunha.

Sir,

I am directed by the
Governor in Council to forward
to you a copy of a letter from
the Acting Principal Officer
in charge of Police, Simonstown
on the large number of
warrants for the apprehen-
sion of coolies for breach of
contract issued by the Magis-
-trates of Divisions and Wards
-ds for execution by the Police
of South Africa.

2 I am directed to
desire that you will take
whatever steps may be
advisable to withdraw the
Proclamation of the Governor
in Council

15-11-13
2-6-17
6-[illegible]-23

Pro. Aug.
Judicial 1865. Department.

No. 1105.

PROCEEDINGS OF GOVERNMENT.

Pol. 1805. - 2113.

Dated 9 August 1865

Regarding the issue of
Warrants for the appre-
-hension of Coolies -

[illegible]

territories not to entertain
complaints of desertion of
coolies under the provisions
of the Penal Code unless
satisfied that the coolies
were brought to the estate
at the expense of the com-
plainant which alone would
legalize the issue of warrants
for their arrest under the
Code.

C.R.

Fort St George, &c
9th August 1865.

Pro. by Asst.

Judicial 1865 Deputt

№ 1106.

To, The Commissioner for the
Govt of the Territories of
His Highness the
Maha Rajah of
Mysore

Dated 9th August 1865.

№ 2113

Jud. Nos. 193-55
4/9/65
13-15
4/1/65
150-151.
22-2-65

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