

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1294	Press Mis.
120-21.		
Dated	11-9-	1965

5/6

Not to be folded or roughly handled

No. 1294.

To

THE COMMISSIONER FOR THE GOVERNMENT OF THE
TERRITORIES OF HIS HIGHNESS THE MAHARAJAH OF MYSORE.
SIR,

With reference to my letter of the 9th ultimo, No. 1106, I am directed by His Excellency the Governor in Council to transmit to you the annexed copy of a letter, under date the 18th idem, from the Magistrate of South Canara.

I have the honor to be,

Sir,

Your most obedient Servant,

FORT SAINT GEORGE,
11th September 1865.

Chief Secretary.

From W. M. CADELL, Esq., Magistrate of South Canara, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated Mangalore, 18th August 1865, No. 37.

As directed in the Order of Government, Judicial Department, under date the 9th instant, No. 1105, I have the honor to forward a copy and translation of the only Warrant from Mysore now remaining in this office, the others having since been returned.

2. With regard to the explanation called for from me, I beg respectfully to point out that the Warrants having been issued under the Penal Code and *not* under Act XIII of 1859, I had no other course open to me but to have them served by the Police.

3. I would further take this opportunity of stating that since the date of Mr. Robinson's letter, numberless Warrants have been received from the Mysore Territory, and that in the majority of cases, and for the reasons stated in paragraph 8 of Mr. Robinson's letter, the parties have not been found. There is also much reason to believe that in many cases the sums advanced by the planters are so small that the coolies cannot be said to have been brought to the Estate at the cost of the complainants; and in several cases in which the offenders have been charged in this District, the cases have been dismissed on this very ground.

No. 195.

To

The District Magistrate of Canara.

Whereas one Channab, son of Kadatana, residing at the village of Ballya in Beltangady Taluq, is charged with an offence punishable under Section 492 of the Indian Penal Code, you are hereby requested to have the said individual apprehended and produced before me.

Dated 24th May 1865.

(Signed) RAMA RAU,

Mamlutdar of Munjerabad.

(True Translation).

(Signed) W. M. CADELL,

Magistrate.

*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

9th August 1865.

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.

195.

[illegible]

(L. J.)

1 True Copy 1

Wm. J. H. K.
Magistrate.

Sept 13/9

Judicial Deptt

No. 1294.

To the Commissioner for the Govt. of the
Territories of H. H. the Maha Rajah of
Mysore.

Sir,

With reference to my
letter of the 9th ultimo, No. 1106,
I am directed by His Excellency
the Governor in Council to
transmit to you the
annexed copy of a letter
under date the 18th idem
from the Magistrate of
South Canadas. —

No 37 Enclosure
to follow

1865
Enclosure No. 1.

In a letter from
the Magistrate of
South Canadas dated
18th August 1865.
No. 37.

No.

Copy & translation
of a warrant received
from Mysore.

Sept 13/95 Deptt
No 1805

Warrants issued for
Mysore against ^{his} ~~the~~ ^{10th} ~~19th~~ ^{Sept} ~~19th~~ ¹⁸⁰⁵

Pro of the ^{10th} ~~19th~~ ^{Sept} ~~19th~~ ¹⁸⁰⁵
Judicial 1805-Deputy

28/12/94

To
The Commissioner for the
Court of the Territory of
His Majesty the King
at Mysore.
Dated 11th September 1805

hist.

120. 121.

130. 131.