

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1686	Press
		~~Mis.~~
Dated	21-11-19	86

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
21st November 1865.*

No. 171. Read the following letter from the Acting Magistrate, Kistna District, to the Chief Secretary to Government, Fort Saint George; dated Masulipatam, 7th November 1865, No. 246.

With reference to the provisions of Acts I of 1849 and VII of 1854, I have the honor to forward, herewith, copy of a letter from the Head Assistant Magistrate dated 28th ultimo, No. 58, and translation of an Urzee from the Jaggayapett Sub-Magistrate, from which it appears that a British subject named Khasimgadu, an inhabitant of Godugupett in the Town of Masulipatam, was apprehended with some stolen property in his possession within the British territories, and is now in custody at Jaggayapett on a charge of theft said to have been committed in the house of Mr. Baldry, an Inspector of Government Telegraphs, stationed at Suriapett in the Nizam's territories.

2. I therefore request the orders of Government for my guidance, as to whether he should be surrendered to the Nizam's authorities, or steps taken to bring him to trial before the Courts within the British territories.

From the Head Assistant Magistrate, Kistna District, to the Acting Magistrate, Kistna District; dated Guntur, 28th October 1865, No. 58.

I have the honor herewith to forward an Urzee, No. 147, dated 25th current, with its enclosures, for your perusal. From these you will observe that a person named Khasimgadu, a washerman in the employ of Mr. Baldry, an Inspector of Government Telegraphs, was on the 1st October 1865 apprehended in Komarabunda, and is now in custody at Jaggayapett, charged with the theft of certain articles, the property of his master, on a recent date not mentioned, at Suriapett, in the Nizam's territories. Komarabunda where he was apprehended is within the British territories.

2. The prisoner is a British subject, an inhabitant of Godugupett of Masulipatam.

3. The trial of the prisoner must, in terms of Act I of 1849, take place with the sanction of Government. The value of the stolen property is not given, so that should it be resolved that the trial be held within the British territories it had better be directed that the proceedings be taken in this Court.

Translation of an Urzee submitted to the Head Assistant Magistrate, Kistna District, by P. Balakistna Rao, 2nd Class Subordinate Magistrate of Jaggayapett Division, dated 25th October 1865, No. 147.

I beg to submit herewith three Documents, viz., one Occurrence Report, dated 22nd instant, forwarded to me by the Police Officer at the Managala station in the Jaggayapett Division, enclosing one List and one Report of the Village Moonsiff of Komarabanda, which I request you will be pleased to return after perusal.

2. From this it will be observed that one Chakala Khasim, an inhabitant of Godagapettah in the Town of Masulipatam, was a servant of Mr. Baldry, of the Telegraph Department; that that Gentleman is residing at Suriapetta in the Nizam's Country; that Chakala Khasim, referred to, stole certain cloths belonging to that Gentleman at Suriapetta and absconded; that he came to Komarabanda in this jurisdiction; and that he was apprehended by the servants of the Gentleman, who delivered him to the villagers. This offence was not committed in this jurisdiction.

*Proceedings of the Madras Government, Judicial Department,
21st November 1865.*

3. I request your honor will be pleased to favor me for my guidance with such orders as your honor may deem proper, whether I should release Chakala Khasim who was apprehended, informing the said Gentleman that the case has to be inquired into by the Nizam's authorities, agreeably to Act VII of 1854, enacted in respect to offences committed in the Nizam's country, or whether I should summon that Gentleman to this place, inquire into, and dispose of the case according to the rules.

4. Moreover, I beg to state that the said Chakala Khasim and the stolen cloths having come here with the Occurrence Report, I have retained the cloths in this office, placing the said Chakala Khasim on remand in the custody of the Police, batta being paid him from this date.

5. I therefore beg to report this circumstance also for your information.

(Signed) P. BALAKISTNA RAO,

2nd Class Sub-Magistrate.

(True Translation).

(Signed) T. A. N. CHASE,

Acting Magistrate.

No. 172.

ORDER THEREON, 21st November 1865, No. 1656.

Under the provisions of Section 4, Act I of 1849, His Excellency the Governor in Council authorizes the trial of the British subject named in the foregoing letter, charged with having committed theft in the territories of His Highness the Nizam, to be had before a Court of competent jurisdiction in the Zillah of Guntoor.

(True Extract).

Chief Secretary.

To the Magistrate of the Kistnah District.

Exd. J. H. Burns.

Judicial Department.

Proceedings of the Madras Government.

Read the following letter from the ^{As} Magistrate of the *Kistnah District*

(Here enter *7 November 1865 No 246*)

ORDER THEREON, *21 Nov 1865*, No. *1656*.

Under the provisions of Sec. IV, Act. I of 1849, His Excellency the Governor in Council authorizes the trial of the British Subject named in the foregoing letter, charged with having committed ~~Gang Robbery~~ ^{theft} in the territories of ~~the Nizam~~ ^{the Nizam} Government, to be had before the ~~Assistant Magistrate's Court~~ ^{Assistant Magistrate's Court}

at Guntoor & (not of competent jurisdiction in the Zillah of Guntoor) (True Extract.)

Chief Secretary.

To

The Magistrate of the

Kistnah District

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Proceedings of Gov.

Dated 21st November 1865

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