

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	12843	~~Press~~ ~~Mis.~~
Dated	20 - 8 - 19-1867	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
20th August 1867.*

No. 203. Read the following letter from W. WILSON, Esq., Acting Magistrate of the Kistna District, to the Acting Chief Secretary to Government, Fort Saint George; dated Masulipatam, 30th July 1867, No. 203.

On examining the Register of vernacular correspondence in the Magisterial Department of this office, I found an unanswered reference, No. 40, dated 15th May last, from the Deputy Magistrate on general duty, regarding the disposal of six prisoners—

- (1). Vuddera Vamoola Veneadoo.
- (2). Do. Boodathe.
- (3). Vamoola Yelladoo.
- (4). Nullaboyana Sutteegadoo.
- (5). Do. Mussegadoo.
- (6). Do. Bagic.—

the first three of whom were arrested on a charge of theft, and the last three on a charge of dishonest retention of stolen property, at the instance of the Naib of Marepully Taluq, in the Nizam's territories, by the assistance of the Police of this District, and placed in custody in the Lock-up at Toomurucota in the Palnad. Their arrest was reported by the Sub-Magistrate on the 5th January of the current year. When on duty in the Palnad in April last, I found these prisoners in custody, and, on learning that they had then been nearly four months under detention, directed the Sub-Magistrate to report again at once for the Magistrate's orders: the yadast of the Deputy Magistrate noted above to the Magistrate was the result.

2. No action seems to have been taken by the Nizam's authorities, and none seems contemplated.

3. The prisoners belong to the Nizam's country, and are wretchedly poor—too poor to retain Counsel to plead for them under Section 20, Act 7 of 1851. I have the honor to request instructions as to what should be done with them. I do not conceive it to be the duty of this administration to point out to that of the Nizam what they should have done long ago, nor is it any part of a Magistrate's duty to instruct Counsel to plead for an accused offender. But considering the time that these prisoners have been in custody without any steps being taken by the proper authorities for their being brought to trial, I have the honor to suggest that they be discharged. Notice of the intention to discharge might, as a matter of courtesy, be sent to the Hyderabad authorities.

No. 204. ORDER THEREON, 20th August 1867, No. 1343.

From the letter above recorded, the Governor in Council learns with regret and with grave displeasure, that six prisoners arrested by the Police of the Kistna District, on a charge of theft and receiving stolen property (these offences having been committed in the Nizam's dominions), have remained since the 1st January last in custody, in the Lock-up at Toomurucota, in the Palnad.

*Proceedings of the Madras Government, Judicial Department,
20th August 1867.*

2. The Acting Magistrate will forthwith order the release of these prisoners.
3. The Governor in Council desires that Mr. Thornhill, the late Magistrate of the Kistna District, be called upon to explain how it happened that no steps were taken, in communication with the Naib of Marepully, Nizam's territory, at whose instance these prisoners were arrested, for bringing them to trial, and under what circumstances he considered himself justified in leaving these men for so many months as prisoners in the Taluq Lock-up.
4. From the Acting Magistrate's report, it would seem that the Deputy Magistrate was directed by him, in April last, to report upon these prisoners to the Magistrate, Mr. Thornhill, for orders. This report was not submitted until the 15th May last.
5. Mr. Thornhill will explain why no orders were issued by him on this tardy report of the Deputy Magistrate.
6. The Acting Magistrate will obtain from the Deputy Magistrate a full explanation of the whole of the circumstances connected with the arrest and detention of these prisoners, and such justification as the Deputy Magistrate may have to offer for the discreditable delay which has occurred in connection with this case.
7. The Acting Magistrate will notify to the Naib of the Marepully Taluq that these six prisoners have been released.

(True Extract).

Acting Chief Secretary.

To the Magistrate of the Kistna District.
" G. Thornhill, Esq.
" Inspector General of Police.

Exd. J. H. Burns.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter: *From the*

Acting Magistrate, Kistna District.

(Dated 15th Aug. 1867 - No. 208.)

ORDER THEREON

From the Acting Magistrate, Kistna District.
The following is a summary of the
report made by the Deputy Magistrate
to the Acting Magistrate, Kistna District,
on the 15th inst. regarding the
arrest of six prisoners by the Naib of the
Marepully Taluq, Nizam's territory, and
the delay in bringing them to trial.
The prisoners were arrested on the 1st
inst. on a charge of theft and
receiving stolen property. These
offences having been committed
in the Nizam's dominions, have
remained since the 1st inst. in
custody, in the Taluq Lock-up
at Somnath in the Taluq.

2. *The Acting Magistrate will*
forthwith order the release of
these prisoners.

3. *The Governor in Council*
desires that a report be made

From Mr. Thomhill the late Magistrate of the Victoria District, ^{be called upon} ~~was called upon~~ explain how it happened that no steps were taken in communication with the Mail of Maripully Nizam's territory, at whose instance these prisoners were arrested, for bringing them to trial, and under what circumstances he considered himself justified in leaving these men for so many months as prisoners in the Taluk Lock-up.

4. From the Acting Magistrate's report it would seem that the Deputy Magistrate was directed by him ^{upon these prisoners} in April last to report to the Magistrate, Mr. Thomhill, for orders. This report was not submitted until the 15th May last.

5. Mr. Thomhill will explain why no orders were issued by him on this early report of the Deputy Magistrate.

6. The Acting Magistrate will obtain from the Deputy Magistrate, a full explanation of the whole of the circumstances connected

and detention connected with the arrest of these prisoners and such information as the Deputy Magistrate may have to offer for the consideration of the Magistrate, which has occurred in connection with this case.

7. The Acting Magistrate will notify to the Mail of the Maripully Nizam that they are prisoners. This has been

The Magistrate of the Victoria District
Thomhill Esq.
High Commissioner of India } Deputy Magistrate

Cons. per time paid
in 1858. 1858.

200.200.

Indiana 1867 Department.

No. 1343.

PROCEEDINGS OF GOVERNMENT.

Ch. 2058-1858

Dated 20 August 1857

Chas. J. 1857