

His power to keep an office open
for the ~~public~~ drawing of any
lottery not authorized by Govt. or
to publish any proposal for a lottery
whether authorized or not.
Otherwise a lottery is not illegal
than Father Mablong asks for
authorization & this I say should be
refused. If the lottery is drawn it
will be a question of fact whether
the first part of Sec 294 A has been
infringed, if it ~~has~~ I consider that
Father Mablong should be prosecuted.
If the lottery has been published, the
publishers should also be prosecuted.
The police under the direction of the
Special Branch should enquire
whether evidence of publication can
be got.
This is an extensive & apparently widely
published lottery, & distinctly one of a kind
which Sec 294 A. S.P.L. was intended to
put down. The object does not in any
case justify a lottery of the kind.
Govt. & Oct 91 is certainly not a really
wonderful.

whether
evidence
of publication
can be got

The Editor of the Standard Standard in
clerical letter under Sec 294 A. for publishing
the Lottery & Oct 91 in its issue of the
22nd September 1891. The number 100
of the Standard, the place where they can be
obtained, the list of the prizes, & a percentage
should be my opinion as obtained.

23 Dec
I don't know him of his kind of stuff
I don't know him of his kind of stuff
I don't know him of his kind of stuff

I don't think the Editor should be prosecuted - though
he is punishable.
I agree with the
hon. Mr. Justice
that he should be
named for his
position and
that he should be
prosecuted with
a prosecution on
the well known
of any similar
publication.
W/
29 Dec.

I think G.O. of 6th Oct
1911 No. 2046 has been
issued. I did not
see it before it issued
as the Hon. W. Storer &
I differ on the point of
the illegality of the lottery.
(not of the illegality of publishing
it) the person who I think
has been & will be the Govt.
before the G.O. issued.
I don't think it is correct
to say that this lottery was
illegal because it was
published. No lottery
is illegal ~~in itself~~ in itself
& is connected with
lottery is a matter of only
illegality is publishing
a lottery is clear.
This ought to be clear
understood - & even if
a lottery is held the person
holding it cannot be
prosecuted if he has not
published or abetted the
publication of it.
That a lottery is itself
itself illegal is clear from
Sec. 294 A. of the S.P.L. &
in the present case the
person, Father Mablong,
asks for permission to
carry out his lottery. I
think he should be told that

26/12
for G.S.

along as he ^{has} ~~not~~ ^{is} willing
to publish the lottery the
for an instruction ~~not~~
whether it is drawn or
not - but that ^{the} newspaper who
published the lottery on the
the publisher of the ticket,
is liable to prosecution
to see the priest if he
has given to it.

See: 294 A
E.P. 6 The law contemplates
the for: holding lotteries
of its own showing a
regular office for drawing
them - & that they
cannot be illegal per se.
where their purpose
is not beneficent
uncharitable I think
See: 294 B & C. to be left
alone.

14/12/91 H.S.

The authorization should be formally
renewed.

U.S.

Subm 2 to the Hon. Mr. Stokes
with reference to the Hon.
Mr. Justice's remarks.

15 Dec.
17 Dec

This should be treated as urgent

Urgent
(agony to)
Hon. Mr. Justice
124/12

C.18/12

judl dep

C. No. 5263/91.

Note.

It is proposed to despatch
the following telegram
to the district magistrate
Godavari:-

Telegram despatched
26/12

14/12
26/12

"your 59 nineteenth Nov.
Inform Father Mabbau
that Government will
not authorise lottery."

This is in accordance with
the order of both hon.
members.

2. With regard to the pro-
secution of the "Madras
Standard" - if the hon.
Mr. Stokes adheres to
his opinion, the papers
will be submitted, after
the telegram has been
despatched, to H.E. the
Governor.

3. Instructions to the Special
may issue subsequently.

14/12
26/12
for C.

Full Sept

C.No 5263/81

G.O. 5 January 1892
K 8.

The district magistrate has been instructed by telegraph to warn father Makhany that Gant. will not authorise the lottery.

2. The Gant. observes that by the publication in the Madras Standard of the 2^d September last of a letter bearing the initials F.D., in which the number 8. cost of the tickets of the ~~Cacao~~ Lottery at Cacanada, the place where they are to be obtained, & the list of prizes, are given, the publisher of the newspaper has rendered himself liable ~~under~~ ^{under} Sec. 294A of the Indian Penal Code. He will now be

Note

@ John d. Pereyra, the Price Current Press, Black Town, is the printer & publisher. It is submitted that "publisher" ~~will be~~ ^{should be} entered as in the draft instead of "Editor" as in the notes.

K 8

urgent

Hon. Mr. Stokes
C.L.J.

M.E. the form.

The telegram has been despatched
26/12

warned that on the
recurrence of any similar
publication, the Govt.
in Council will institute
a prosecution.

from orders

30/12 ^{W.P.} for CS.

D. M. Gadavai (with one encl.
returned)
Publisher of the
"Madras Standard" [82.]
Copy to Comms^r of
Police.

DESPATCHED

6 JAN 02

IN M.S.

The Asst (Special
Branch) in original, for
the necessary enquiries,
~~interrogations~~ with
reference to the Hon. Mr.
Stokes's note of 23 Dec^r/
81

Cocanada
lottery

Shaw. Mr Stokes CS?

See

MS
31

Given out Blue
copies
4/1/92

CONFIDENTIAL No 77

NOTE FOR THE CHIEF SECRETARY.

With reference to the Hon
Mr Stokes note dated 23rd
December, Careful enquiries
have been instituted and
the District Supdt of Police
Sodavery reports that
evidence of publication of the
prospectus of the Cocanada
lottery is unobtainable.

The lottery was drawn
in Yanaon on the 4th January.

J. Mulla

a.e.B

5th March 92.

Submitted to the.

This Mr Stokes to whom
is marked with red tape and
a cross in red pencil

X

5 March

The lottery having been drawn in
Yanaon & no evidence of publi-
cation by Father Neabour being
obtainable we can do nothing to
him.

In my opinion if the Standard
is not to be prosecuted it is not
much use warning the Editor
but if it is to be done it had better
I think be done through the hands
of Police.

MS

6 March

Lodges

CS

(see CS's re)

Submitted for the perusal
of the Under Secy. ^{Copies have} Paper has
gone to the Chief Secy. for Signature

C.S.

5.1.92

See

See
5/1

Total ..

In Stock ..

NOTE FOR THE ^{Chief} UNDER SECRETARY.

With reference to the latter part of this note he appears to have overlooked the draft order, which he saw before issue, in which the Editor of the Standard has already been warned.

C.L.
7/3

I don't see where I saw the paper before issue. I saw the draft as folded. U.S. "seen" H.P.

READ AGAIN ORDER OF GOVERNMENT, DATED 189 , No.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER, &C., OF GOVERNMENT- A.

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL (not paged).

NUMBER OF COPIES REQUIRED. { Order complete. Letter only. Order complete with Letter.

N.B.- A = Print in full. B = Not to be printed. P = Print abstract only. Q = Print heading only. R = Print, but not for m...

Spare copies.

Struck
Issued

Total ..
In Stock ..

Confidential No. 4
1892.

Judicial DEPARTMENT.	
G.O., DATED	5-1-92
No.	8
Series.	Mis

Confidential.

First copy sent to Press.

Returned for signature.

Despatched 6.1.92

[Despatch Abstract.]

Lottery Directing the Dist.
Magistrate, Godavari, to warn
father Mabbour, Vicar of the
Roman Catholic Church at
Tagganadhapuram, that Govern-
ment will not authorize his
holding a - in connection with
the funds of the Church, and
warning the Publisher of the
"Madras Standard" that he has
rendered himself liable to
prosecution under S. 294 A of
the Penal Code for publishing
certain communications regarding
the above lottery.