(1) Number of pages

(2) Date of repair

(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

DEPARTMENT

Confidential.

G.O. No. 2127 ~~Press.~~
~~B.P. No.~~ Mis.

Judicial.

Dated 1-9-1894 197 .

Not to be folded or roughly handled

Archives 1—5,806—24-2-78.

[G/14]

Confidential No. 118
1894

Judicial DEPARTMENT.

G.O., DATED 1-9-94

No. 2127

Series, mis

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Kine killing. ~~[illegible]~~ Comm. to Ig. Police letter from the Govt. of India regarding maintaining a record of trustworthy information as to the existing practice in regard to the slaughter of animals for food &c and to the use of music with processions and at religious festivals & ceremonies

CURREN

Confidential No. 182
1894.

Confidential.

Judicial DEPARTMENT.
G.O., DATED 24 Decr/94
No. 3190
Series. iii.

First copy sent to Press.

Returned for signature.

Despatched 24/12

[Despatch Abstract.]

Refusing to authorise the raffle proposed to be held by Messrs Misquith & ~~Co~~ for the disposal of a piano

TE FOR [illegible] IEF SECRET RY.

C.S.' addition to my footnote tertain some doubt as to hether he intend~~s~~ed the paper to go to H.M. or not. Will C.S. say? The paper was marked for him as H.M. objected to receiving the earlier current, but the addition to the footnote ~~together~~ seems intended for H.M.'s perusal

D
18/12

Madras 10th December 1894.

98

G/8 300

PRIVATE AND CONFIDENTIAL.

A Grand Christmas Drawing

FOR

ONE OF S. AND P. ERARD'S

Latest Models of Horizontal Grand Pianos.

The above is a Concert Grand in miniature, 6 feet long. Full Compass and Fully Trichord in polished Rosewood.

Manufacturers' Price at Factory 160 Guineas.

This Grand Instrument was sent out to Messrs. Misquith and Co., Madras, about three months ago, but its prohibitive price has militated against a ready Sale, in consequence of which it has been decided to give the Piano away to

THE LUCKY WINNER OF THE DRAWING

On Monday, (Christmas Eve) the 24th December, 1894.

MENDELSSOHN, writing from Germany, said: "The difference between your instruments and those which are manufactured here is so great! It is like hearing a full orchestra near a small piano!"

WAGNER to LISZT:— "Get an **ERARD** on the ninety-nine years' system or any other system."

Mdme. SCHUMANN: "I have asked for an **ERARD** piano."

RUBINSTEIN:— "But there is only one piano—the **ERARD**: as to the others, they are but imitations."

M. PADEREWSKI says:— "I play only on an **ERARD** whenever obtainable."

LISZT:— "Those fine **ERARD** pianos that Marlborough Street makes so well."

Not the least attractive feature of this magnificent model is its portability and size, occupying as little space as the now obsolete square piano, and by its elegance and shape filling and suiting Drawing-Rooms of small dimensions.

1894
Jud Dept.
Enclos. A 2
26
C. No 6577

Madras 10th December 1894.

From
Messrs. Wilson and King
Solicitors
Madras.

To
Colonel Cox
The Commissioner of Police, M

Sir,

Referring to Mr. Wilson's interview with y
Saturday morning regarding the Raffle for a Pi
which Messrs. Misquith and Co proposed to hold o
24th Instant we understand they have given yo ent
written undertaking asked for in your letter
dated 6th December 1894.

Messrs. Misquith and Co have reques
bring the following Circumstances to your notice
that you may see fit to modify your former
ledge

The Piano in question is a very expen ad
instrument the manufacturers price at
being 160 Guineas, Messrs. Misquith and Co f fle of
themselves unable to dispose of it to a purch wrote
proposed raffling it. They were under the impres to
that there was no legal objection to a raffle if pri ately
Conducted and not advertised in the Public Press and they
accordingly issued private Circulars to their Customers
acquainting them of their intention of raffling the Piano.

Many tickets have been taken and if the

Raffle is prohibited altogether Considerable
will be incurred in refunding the money sub Attorney
various parts of India. Messrs.
his

We have therefore to request the of the
into Consideration that the Circumstance Raffle
was technically a breach of the Law it was

1

be pleased to allow the Raffle to continue, if you are of
on that you have not the power to do this without a
Government then may we ask you to kindly refer
to Government.

We have the honor to be
Sir
Your Obedient Servants
(Signed). Wilson & King

(True Copy)

Col
Commissioner of Police

1894
Jud Dept
Enclos. No 1
To
O. No 6578

CURRENT No 6598

G./8 300—24-7-94.

No. 137.

City Police Office.

Madras, 11th December 1894

From Colonel H. W. H. Cox
THE COMMISSIONER OF POLICE,
MADRAS,

To The Chief Secretary to Government
Fort Saint George
Madras

Sir,

It having come to my knowledge that Messrs Misquith & Co Madras had published proposals for the Raffle of a Piano and were selling tickets I wrote to them on 6th Instant pointing out to them the provisions of Section 294A of the Indian Penal Code and warning them that if they did not desist from their purpose it would be my duty to apply for sanction to prosecute them.

2 —— On 8th Instant Mr C. Wilson Attorney-at-Law Called upon me on behalf of Messrs Misquith & Co and informed me that his Clients had suspended further sale of the tickets, but he urged that though the Raffle was technically a breach of the Law it was

1

of so small a value as not to require notice and that the stopping of it would involve his clients in considerable expense.

3 —— This morning I have received a letter from Messrs Wilson & King asking me to allow the Raffle to continue or to make a reference to Government.

4 —— It is exceedingly difficult to draw the line between a lottery that may be allowed and one that causes public mischief and should be stopped. This is a matter which the Legislature has left for Government to decide and I have the honour to request instructions.

5 —— I enclose copy of the notice of the Raffle and also a copy of Messrs. Wilson & King's letter dated 10th instant.

I have the honour to be
Sir
Your most obedient Servant
Holitz Colonel
Commissioner of Police
Mus

The second sentence of the draft G.O. does not seem to be required. I understand Messrs. W. & K. have undertaken not to go on with the lottery. It is therefore unnecessary to threaten them — So at least it seems to me.

WD
20/12/94

CURRENT No. 6598

Judicial Deptt

Con 167 of 94

Con 463 of 94 lodged

From
The Commissioner of Police
Madras

To
The Chief Secretary to Govt.
Fort St George

Dated 11th
Received 12th } December 1894.

CHIEF SECRETARY
12 DEC 1894
GOVERNMENT OF MADRAS

No. 137

Enclosures. 2. (Two).

Raffle for a Piano

Reporting that he referred Messrs. Misquith & Co to sec: 294 A I.P.C and warned them to desist from their purpose and that they ask through their attorney to be allowed to continue the —— or make reference to Government and requesting instructions whether the —— be allowed to continue or be stopped.

70

C. 18/12
R. 21/12

Issue G.O. striking out second sentence
D.
22/xii

~~Lotto~~ C.P.

For orders.

The conduct of Messrs. Misquith & Co clearly falls within the scope of s. 294 A of the Penal Code & the Govt. of India has directed Local Govts. to enforce the law uniformly. There appears therefore no option but to say

Order 24 Decr. 1894 No. 3190.

The raffle which Messrs. Misquith & Co. propose holding is clearly a public lottery & the Govt. is not prepared to authorize it. [~~If it is not at once stopped the Commr. of Police shld. apply to Govt. for formal sanction to prosecute~~]

D
16/12

18/12/94

The Commr. of Police dated 24/12

See in

20/12/94

Note

Spoke of an article in the Madras Mail on the subject for perusal. There is nothing in it to make Govt. change its views. Misquith's circular though addressed to individuals permits anyone to subscribe to the lottery & their solicitors admit the technical breach of the law.

The only authority which can give an authoritative ruling as to whether this lottery falls within 294 A [illegible]

[illegible]

BACK PAPER, No. Con 167

AGAIN ORDER OF GOVERNMENT, DATED
18 , No.

FURTHER PAPER, No. of 18

ENCLOSURES.

Spare copies.

Struck .. .. ..

Issued .. .. ..

CURRENT No.

STATEMENT WITH DITTO.

Total ..

In Stock ..

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 monthly volume.

Confidential No. 182
1894.

Judicial DEPARTMENT.
G.O., DATED 24 Decr/94
No. 3190
Series. iii.

Confidential.

First copy sent to Press.

Returned for signature.

Despatched 24/12

[Despatch Abstract.]

Refusing to authorise the raffle proposed to be held by Messrs Misquith & Co for the disposal of a piano

---

ORDINARY, MS.

Judicial DEPARTMENT.

G.O.

C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

Confidential No. 182
1894.

Judicial DEPARTMENT.
G.O., DATED 24 Dec/94
No. 3190
Series. iii.

Confidential.

First copy sent to Press

2374 of 1894. Conf. dl

Judl DEPARTMENT.

C.F. 73.

Paper taken out of the Records from the charge of the Referencer.

~~Press~~ Miscellaneous ~~Routine~~ No. 2374, dated 1-10-1894

Date taken out.	FOR WHAT PURPOSE. Department.	C. No.	Year.	Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
19 12/46	Board of Reve C No. 102/F (Spl) M No 3279 D VIII				23 12/46	
~~19~~ 17-11/67	Rev Deptt on @ms MRO. 4880 DII (a)			17-11-67		30 1/68
22 1/75			1655 RH			

ORDINARY, MS.

Judicial DEPARTMENT.
G.O., DATED 21-12-94
No. 3164

When given for copying.

[Despatch Abstract.]

Directing the Crown Prosecutor appear on behalf of the Court of Police o show cause why the application from a risoner taken in connection with the Srirangam temple theft case hould not be complied with and to ontest the power of the High Court in e matter

G.O. [G/25]

Order 21st Decr 1894, No. 3164
Misc.

C. No.

DEPARTMENT.

The Govt. Pleader will appear on behalf of the Comr. of Pol. to show cause why the application should not be complied with & will contest the power of the High Court to direct that a prisoner shall be permitted to have an interview with his legal adviser unless some statutory provision giving this power is in existence; the Govt. is not aware of any.

FOR ORDERS.

To the Govt. Pleader with letter (to be returned) & compendium
Comr. of Pol. for information
Desp. 21/12

It is important to know if the H.C. has any authority to interfere in this matter – The Govt. Pleader may therefore be instructed to appear on behalf of the Comr. of Police & to resist the application. The case seems to be governed by S. 40 of Act IX of 1894 & by Rule 926 of the Jail Code, which having been framed under Madras Act V of 1869 had the force of law & still continues to have that force under SS 2(2) and 60(t) of Act IX of 94. S. 40 of Act IX provides visits from legal advisers "so far as may be consistent with the interests of Justice" – Rule 926 speaks of Prisoners under trial having "all reasonable facilities" for consulting with their legal advisers. The Comr's position is that to allow consn. at the present time would not be "reasonable" nor "consistent with the interests of justice." – In the peculiar cirs. of this case, I cannot say that I think he is wrong; nor can I see what authority the H.C. has in the matter on a summary petition, though no doubt it might have authority in a regular suit. I can find no provision of law ~~Unless to~~ giving them authority ✕

Col. Cox does not seem to have any sufficient ground for the very unusual course followed by him.

It is submitted that he should be told to allow the interview

20/12/94

✕ and I presume that the H.C. needs to be legally empowered, in order to possess powers, just as much as smaller people.

Unless I have anyhow gone wrong in the above, point out these considerations to the Govt. Pleader.

I see that orders were sent to the I.G. of Pr.: that he could have Mr. Carr's services – But I don't quite see what the use of that was when it was reported that he would not be fit to move for a fortnight.

20/12/94

Confidential

From
The Commissioner of Police
Madras

To
The Chief Secretary to Govt.
Fort St. George

CHIEF SECRETARY GOVERNMENT OF MADRAS 20 DEC

Dated 20th } December 1894
Received }

No. 143.

Enclosure. One.

Jambukasweram Temple Theft Case.

Requesting to direct Government Pleader to appear in High Court tomorrow to resist the application made by a Vakil to be allowed to have an interview with the prisoners concerned in the — & who are now in the Custody of the City Police.

G./S. 300—24-7-94. Confidential. Urgent

No. 143.

City Police Office.

Madras, 20th December 1894

From
Colonel H. W. H. Cox
THE COMMISSIONER OF POLICE,
MADRAS,

To
The Chief Secretary to Government
Fort Saint George
Madras

Sir,

I have the honour to inform you that on 4th Instant the City Police arrested 4 persons with a large quantity of property - gold in ingots, precious stones and pearls and rupees - in their possession.

2 —— The prisoners accounted for the possession of this property by stating that they had about 40 days before broken into the Temple of Jambukeswaram near Srirangam in Trichinopoly District and stolen a quantity of Jewels which they had broken up and melted.

3 —— On Communicating with the Trichinopoly Police it was found that such a Crime as that described by the prisoners had been reported but that it

1

[G]

CURRENT No. 4139

[Confidential.]

FROM
J. P. HEWETT, Esq., C.I.E.,
Offg. Secretary to the Government of India,

No. 8 Public / 1370

TO
The Chief Secretary to the Government of Madras.

Home Department.
Public.

CHIEF SECRETARY
19 AUG 1894
OF MADRAS

SIR,

Simla, the 11th *August 1894.*

890 / 7-4

WITH reference to the correspondence ending with my strictly confidential letter No. 509, dated the 12th March 1894, I am directed to forward for information, in order to the adoption, with the permission of His Excellency the Governor in Council, of similar measures in Madras, extract paragraph 2 from a letter of instructions issued by the Government of Bombay to District Officers in that Presidency with a view to the systematic record of trustworthy information as to the existing practice in regard to the slaughter of animals for food or for sacrifice, or on social occasions, and to the use of music at processions and at religious festivals and ceremonies.

I have the honour to be,
SIR,
Your most obedient Servant,
J. P. Hewett
Offg. Secy. to the Govt. of India.

G./8 300—24-7-94. Confidential. Urgent

* the scope of the enquiry in this way we shall save (in the aggregate) a great deal of worry & fuss, while ~~strictly~~ (& substantially) complying with orders

HS
24/8/94

I agree
JG
28/8

and I.
W
29 Aug

[G/14]

Confidential No. 179.
1894.

Judl. Department.
G.O., dated 19-12-94
No. 3133
Series. mis

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Lodging House Act: comg. to the L & M. Dept. an extract from the report on Bengal Native papers for the week ending 1st Decr 94 regarding the N. W. Provinces — & the Hon Mr Bliss' note thereon

20/12/94

Very dear Butterworth

S. 65 of the City Police Act has no bearing; nor can I find anything in that Act about remands. I presume that Col. C. knows how long he can retain people in custody on his own authority; but imagine that, under a Magistrate's remand warrant, he can keep them longer — in fact, indefinitely, provided he gets fresh remands every 15 days or whatever the term in the C.P.C. is. However, you had better point out the difficulty you feel to Col. C. He may have got a remand warrant

---

visable to resist the application for an interview; [redacted] on the contrary, they must be released at once & carefully watched. If, however, you consider the present confinement legal & approve the draft, I will write D.O. tonight to the Govt. Pleader & Col. C. giving them the necessary instructions.

As regards Carr's deputation, the C.S. says that he expects to return to work tomorrow.

Yours sincerely
Alan Butterworth.

Judl. Dep

Con No. 472 in file

Order: 19th Decr 1894, No. 3133

The following extract from the report on native papers published in Bengal for the week ending the 1st Decr 1894 and the Hon'ble Mr. Bliss' note thereon will be communicated to the Local and Municipal Department.

(From orders)
D 18/12

H.E. extract notes

18/12/94

To

The L & M. Dept despd 19/12
Copied 18/12

[G/23]
200—6-8-94.

C. No. 6249.

Judl. DEPARTMENT.

FOR ORDERS.

The Govt. of India, Military Dept. has come to the conclusion that the Queen's Regulations are to some extent inapplicable to the conditions obtaining in India and has directed the substitution of a new para, in which no reference is made to the Queen's Regulations, for para 2860, Army Regulations, India, Vol. II Part II.

The rules approved of in G.O. 15th Nov. 94, No. 2767 which has not yet issued are based on paras: 62-63 section VIII of the Queen's Regulations. It would ~~perhaps~~ be convenient to have uniformity in the rules applicable to the Military & to the Police. The I.G. might perhaps be directed to submit revised rules based on the new section (2860) of the A.R.I., Vol. II. The Govt. of India, Home Dept. will apparently have no objection to this course as all that it desires is that Blank cartridges should never be served out to police employed to suppress a riot, ~~and~~ th the fullest warning is given before a

The Rules already approved seem right enough — The fact that they are stated to be based on the Queen's Regns can do no harm — I don't see that any alteration is needed

MP
7/12/94

Practically this uniformity will Exist.

It is certainly quite unnecessary to do this; if the rules are to be revised it can easily be done in the office.

is given to fire on a mob ~~The issue of suitable~~ and that the firing is to be used as the last resort. The proposed Police rules are in no way contradictory of para. 2860 of the A.R.I. as now revised; the Police rules are only more elaborate & detailed — perhaps rather too much so.

If H.M. thinks that the Police Rules should be assimilated to para. 2860, [redacted] revised draft rules will be prepared & substituted for those printed as an Appendix to G.O. of 15/11/94, No. 2767, Jud.

But, on the whole, it seems unnecessary to make any change.

20th Nov

Firing on Mobs

FOR ORDERS.

H.M

2767/15-11-94

Office
Issue the G.O.
C. No 6249

Record

20/11

C 8/12
R 8/12

CURRENT No 62

MILITARY DEPARTMENT, 19TH NOVEMBER 1894, No. 7145.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Disturbances.

Read again the following paper:—

No. 171. *Proceedings of the Madras Government in the Military Department; dated 19th September 1894, No. 5811.*

Read the following paper:—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Police), to the Chief Secretary to the Government of Madras, dated Simla, the 30th July 1894, No. 4–Police—426.

I am directed to acknowledge the receipt of your letter No. 1042, dated the 3rd May 1894, regarding the question of the firing of blank cartridge by the police on the occasion of riots.

2. In reply, I am to say that the principal object in view is to ensure that the utmost humanity shall be used in dealing with rioters which is consistent with the maintenance of the public safety. The great mass of opinion contained in the papers received from the different local Governments and Administrations in reply to the letter from this department, dated the 20th December 1893, shows that the use of blank cartridge on the occasion of riots is not really a humane course. The Governor-General in Council concurs in this opinion and has accordingly determined to maintain the orders contained in the Home Department Circular No. 5–Police—574–583 of the 28th November 1893. Blank cartridge should therefore never be served out to police employed to suppress a riot. The Government of India at the same time desire to point out that local Governments and Administrations are responsible for issuing such regulations as may be required within the territories under their respective control to ensure that the fullest warning is given before any order is given to fire on a mob and that neither troops nor police should fire in such cases except in the last resort.

No. 1978, Judicial.

The foregoing letter from the Government of India will be communicated to the Military Department, all District Magistrates, the Inspector-General of Police and the Commissioner of Police, Madras, for information and guidance.

2. A copy of Judicial letter, dated 3rd May 1894, No. 1042, will also be furnished to the Inspector-General of Police who will prepare and submit for the approval of Government rules for the guidance of the police based on the Queen's Regulations regarding aid to the civil power.

(True Extract.)

17th August 1894. (Signed) J. F. PRICE,
Chief Secretary.

To the Military Department.
,, all District Magistrates.
,, the Inspector-General of Police,
with copy of Judicial letter, dated 3rd May 1894, No. 1042.
,, the Commissioner of Police, Madras.
Copy to the Chief Presidency Magistrate.

No. 5811, Military.

Order—

Communicated to His Excellency the Commander-in-Chief for information.

2. It is observed that, though para. 2860, Army Regulations, India, Volume II, lays down that the orders contained in Queen's Regulations, section VIII, relating to duties in aid of the civil power, are applicable to the European as well as to Native troops employed on such duties, those orders seem to be in conflict with the instructions in paras. 2853 to 2858, Army Regulations, India, Volume II, for, whereas the former prohibit the military officer from giving the word of command to fire unless distinctly required to do so by the Magistrate, the latter do not provide for any distinct requisition to fire being given by the Magistrate, but leave the responsibility for firing to rest upon the military officer.

3. As Government is of opinion that no doubt should be allowed to arise on so important a point, His Excellency the Commander-in-Chief will be desired to favour it with his views as to whether it would not be desirable to cancel or amend para. 2860, Army Regulations, India, Volume II, leaving as the guide for military officers in command of troops called out in aid of the civil power in India the instructions in paras. 2853 to 2858 *ibid.*, which while in conformity with the law in force in India seem simple and suitable.

(True Extract.)

19th September 1894.

(Signed) D. J. S. McLEOD, Colonel,
Offg. Secretary to Government.

To the Adjutant-General, with two copies of
G.O., Judicial, No. 72, dated 16th January 1894.

Read also the following papers:—

No. 172. *From Colonel ELPHINSTONE BEGBIE, Officiating Adjutant-General, Madras Army, to Colonel D. J. S. McLEOD, Officiating Secretary to Government, Military Department; dated Ootacamund, 25th September 1894, No. B.A./1643.*

I am desired by the Commander-in-Chief to say (a) that His Excellency is of opinion that the instructions contained in the Queen's Regulations (b) should be strictly adhered to.

(a) In reply to Military Department No. 5811 of 19th September 1894.
(b) Paras. 53 to 59, section VIII, edition 1893.

2. They are the outcome of careful consultation in concert with the highest legal authorities.

3. It is very desirable that British troops in this country should, in an important duty of this kind, be guided by the same regulations as those to which they are accustomed at home.

4. The extracts from section VIII of the Queen's Regulations of 1892 (paras. 62 to 68) recorded in Proceedings of Madras Government No. 72, Judicial, of 16th January 1894, contain the instructions *verbatim* which are to be found in paras. 53 to 59 of the 1893 edition of the Queen's Regulations.

No. 173. *From Major-General E. H. H. COLLEN,* C.I.E., *Secretary to the Government of India, Military Department, to the Adjutant-General in India; dated Simla, the 29th October 1894, No. 3004-B.*

Disturbances.

I am desired to forward the accompanying copy of a letter No. 964, dated the 15th June 1894, from the Government of Bombay, forwarding, for consideration, a copy of a letter from the Adjutant-General, Bombay, representing the conflicting character of the orders contained in Army Regulations, India, Volume II, and in the Queen's Regulations, as regards the action to be taken by an officer in command of troops called out in aid of the civil power.

2. The Commander-in-Chief, Bombay, points out that by para. 2860 of Army Regulations, India, Volume II, the orders in section VIII of the Queen's Regulations are made applicable to such cases, but that these orders are in conflict with paras. 2853 to 2858 of the Indian Regulations. It is therefore suggested that para. 2860 should be cancelled or amended, the instructions in paras. 2853 to 2858 being considered simple, sufficient, and suitable to the requirements of India. In the opinion of His Excellency the Governor in Council, it is desirable that the regulations should be consistent and in conformity with legislation existing in India.

3. I am to say, for the information of His Excellency the Commander-in-Chief, that the Government of India, having given this subject their most careful attention, concur in the opinion of the Government of Bombay and consider that the regulations for carrying out duties in aid of the civil power in Great Britain are to some extent inapplicable to the conditions obtaining in India, also that any reference in the Indian Regulations to the provisions of the Queen's Regulations is likely to cause embarrassment and confusion.

4. The Government of India are therefore of opinion that para. 2860, Army Regulations, India, Volume II, as it at present stands, should be cancelled and a new paragraph substituted as in the accompanying draft amendment, which I am to ask may be published in His Excellency's General Orders.

Draft amendment to Army Regulations, India, Volume II.

Para. 2860 is cancelled and the following substituted:—"Before an order is given to fire on a mob the Officer Commanding shall give such warning as, in his opinion, the circumstances permit, and is in his power to communicate, or have communicated, to the mob. If firing should unfortunately be found necessary, and the Commanding Officer should be of opinion that a slight effort would suffice to attain the object, he is to give the word of command to one or two specified files to fire. If a greater effort be required he is to give the word of command to fire to as many files of the detachment as he considers necessary. Firing is to cease the instant it is no longer necessary. Care is to be taken not to fire on persons separated from the unlawful assembly It is to be observed that to fire over the heads of a crowd engaged in an illegal pursuit would tend to favour the most daring and guilty while sacrificing the less daring and even the innocent."

No. 3004-B.

Copy forwarded to—

* * * * * *

The Secretary to the Government of Madras, Military Department, for the information of His Excellency the Governor in Council.

* * * * * *

(By Order.)

SIMLA,
29th October 1894.

(Signed) A. E. JONES,
Asst Secy. to the Govt. of India.

No. 174. ORDER THEREON, 19th November 1894, No. 7145.

The foregoing letter from the Government of India will be communicated to His Excellency the Commander-in-Chief and the Judicial Department for information.

(True Extract.)

(Signed) D. J. S. McLEOD, Colonel,
Offg. Secretary to Government.

To the Adjutant-General.
„ Judicial Department.

CONFIDENTIAL

Exd. A. D. Xavier.

RRENT NO. 6249

Govt. of {1894} Madras.

MILITARY.

CONFIDENTIAL. No. 427

To

The ADJUTANT-GENERAL,
&c., &c., &c.

Dated November, 19th.

Issued

UNDER SECRETARY PUBLIC &c. DEPT.
24 NOV 94

Recd. 24 } Nov. 94
Regd 26 }

Encl. Five sp. Copies

G.O., 19th November 1894, No. 7145.

NOVEMBER.
Nos. 171—174.

Go. 2767
15-11-94

Disturbances.

Troops called out in aid of the Civil Power.—Letter from the Government of India amending para. 2860, Army Regulations, India, Volume II, as regards the action to be taken by an officer in command of —, communicated to His Excellency the Commander-in-Chief and the Judicial Department.

Go. 2767 d 15-11-94.
" 1978 d 17-8-94 & back papers
" ~~2767 d 15-11-94~~
" 2391 d 3-10-94
" 1041-2 d 3-5-94
" 72 d 16-1-94

11th Decr 1894, No. 3041

10/12

Read again Order of Government, dated 18 , 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 monthly volume.

Back Paper, No. of 18

Further Paper, No. of 18

Spare copies.

Struck .. .. ..
Issued .. .. ..

Total ..

In Stock ..

[G/14]

Confidential No. 171
1894.

Judicial DEPARTMENT.
G.O., DATED 11-12-94
No. 3041
Series. Mis

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Firing on Mobs

SECRET.

CHIEF SECRETARY
1 DEC 1894
GOVERNMENT OF MADRAS

Reg. No. 2413
29-11-94.

MADRAS POLICE.

ABSTRACT OF INTELLIGENCE.

VOL. VII.] FORT ST. GEORGE:—*Saturday, 24th November 1894.* [No. 45.

FOREIGNERS.

Mir Afzul.

1250. North Arcot, 14—19-11-94. Mir Afzul (paragraph 1207) was released from the Central jail, Vellore, on the 13th and brought down to Madras on the 14th.

Saiyid Sultan, Saiyid Ghulam Rasul, Saiyid Faqir, Saiyid Sathu.

Saiyid Sultan (son of Saiyid Biriz), 30, Saiyid Ghulam Rasul (son of Saiyid Biriz), 26, and Saiyid Faqir (son of Saiyid Bag), 25, Kabuli cloth merchants (paragraph 1216), arrived on the 13th from Madras and left for Bombay. Saiyid Sathu (son of Saiyid Namat), 45, Kabuli cloth merchant (paragraph 130), from Bellary on the 14th, and left for Madras, whence he proceeded to Tuticorin on the same day.

Dur Abbas Khan, Jotha Khan *alias* Suliman Khan.

Dur Abbas Khan (son of Saiyid Khan), 35, Kabuli, says he was dismissed from a regiment, and Jotha Khan *alias* Suliman Khan (son of Isath Khan *alias* Ajid Khan), 25, Kabuli cooly, from Tanjore on the 15th.

Latif Khan *alias* Abd-ul Latif.

Latif Khan *alias* Abd-ul Latif (son of Shabbas Khan), 35, Kabuli cooly, from Madras on the 17th, and left for Bombay; he arrived at Madras on the 15th by steamer from Siam.

Yusuf Khan.

Yusuf Khan (son of Wahab), 35, Kabuli camel merchant, from Tuticorin on the 17th, and left for Bombay.

Haji Islam, Faqir Shah Qalandar.

Haji Islam (son of Abu Baqr Siddy), 22, and his brother, Faqir Shah Qalandar (paragraph 1160), of Bokhara, beggars, from Madras on the 17th *en route* to Bombay.

NOTE.—Bombay S.B. please note.—*S.B.*

Adam Khan *alias* Mir Hathum Khan.

Adam Khan *alias* Mir Hathum Khan (son of Salam Khan), 30, from Calicut on the 18th, and left for Madras; at Calicut he had Rs. 50 with him which he said was for purchasing cloth at Madras; said his father is a cloth merchant at Meppadi (Wynaad).

Shaikh Abd-ullah.

1251. South Canara, 10-11-94. Shaikh Abd-ullah (son of Shaikh Abd-ul Ghafur), 35, of Baroda, dealing in cutlery (paragraph 981, vol. vi), from his native place on the 6th, and left for Tellicherry.

Amir Khan.

Amir Khan (son of Yusuf Khan), 65, of Hyderabad, mendicant, from Shimoga on the 7th, and left for Mercara.

Abd-ul-qadir, Ghulam Rasul or Muhammad Ghulam Rasul, Paqi Muhammad Khan, Nur Khan, Habib Mir Khan, Akbar Khan.

1252. Coimbatore, 10–11–94. Abd-ul-qadir (son of Sultan Muhammad), 40, Ghulam Rasul or Muhammad Ghulam Rasul (son of Magilan), 35, Paqi Muhammad Khan (son of Abd-ul Karim), 37, Nur Khan (son of Paqi Muhammad), 25, Habib Mir Khan (son of Rasul Khan), 27, and Akbar Khan (son of Mir Khan), 46, Kabulis, trading in shawls and cloths, from Méttupálaiyam on the 8th, and left for Bangalore the same day.

NOTE.—District Superintendent, Bangalore, will please note.—*S.B.*

Saiyid-ullah, Shaikh Mahmud, Shaikh Ibrahim.

1253. Ganjam, 16–11–94. Saiyid-ullah (son of Karam-ullah), 40, of Peshawar, Shaikh Mahmud (son of Shaikh Husain), 50, and Shaikh Ibrahim (son of Nun Sahib), 26, Arab beggars; the first man is proceeding from Vizagapatam to Cuttack and the last two men from Madras to Cuttack.

NOTE.—Bengal Police please note.—*S.B.*

Hazarat-ji, Jamal Shah.

1254. Godavari, 9–11–94. Hazarat-ji (son of Gori Shah), 50, and Jamal Shah (son of Juvda Shah), 30, of Murdan, Peshawar, trading in cloths and rice, from Masulipatam on the 3rd October, and left for Motu on the 3rd November.

Hasan Khan.

Hasan Khan (son of Sarwar Khan), 50, Kabuli beggar, from Hyderabad on the 2nd October, and left for Motu on the 28th idem. (*Vide* paragraph 98, vol. v.)

Habib-ullah.

1255. Madura, 13 and 15–11–94. Habib-ullah (son of Saiyid Ali), 50, Kabuli beggar (? paragraph 270), from Trichinopoly on the 10th.

Rahmat-ullah.

Rahmat-ullah (son of Abd-ul Aziz), 40, Kabuli beggar, from Tuticorin on the 13th; appears suspicious.

Barak Saiyid, Rapra.

1256. Salem, 14–11–94. Barak Saiyid, 30, and Rapra, 25 (fathers' name not stated), Kabuli cloth-dealers, from Bangalore on the 8th *en route* to Tuticorin and Colombo.

Saiyid Mir Khan *alias* Thamur Khan, Saiyid Surwar *alias* Saiyid Shaikh Johur, Saiyid Shams-ud-din.

Saiyid Mir Khan *alias* Thamur Khan (son of Khajah Nur), 50, Saiyid Surwar *alias* Saiyid Shaikh Johur (son of Saiyid Amin), 50, Saiyid Shams-ud-din (son of Saiyid Dost Din), 30, (? paragraph 898, vol. vi), Kabuli dealers in asafœtida, from Bangalore to Tuticorin and Colombo. They arrived at Trichinopoly on the 13th and the last two men, whom the Trichinopoly Police report as cloth-dealers, proceeded on their way to Colombo; the first man alighted at Trichinopoly.

Ismail Shah.

1257. Tanjore, 15–11–94. Ismail Shah (son of Badr-ud-din), 35, of Lahore, mendicant, arrived on the 13th from Trichinopoly, where he arrived on the 12th from Coimbatore.

Karim Bakhsh.

1258. Tinnevelly, 13 and 14–11–94. Karim Bakhsh (son of Muhammad), 70, of Delhi, beggar, from Trivandrum on the 10th.

Hasan Ali, Miyan Sahib.

Hasan Ali (son of Muhammad Ali), 35, of Rawalpindi, and Miyan Sahib (son of Hathum), 42, of Khorasan, priests (paragraph 1158), from Colombo on the 6th, and left for Madura the same day.

Nizam-ud-din.

Nizam-ud-din (son of Ghulam), 55, Panjabi tailor, from Arkonam on the 9th, and proceeded to Colombo.

Samal, Husain.

Samal (son of Raun Khan), 38, and Husain (son of Faqir Muhammad), 35, of Poona, jugglers, from Bangalore on the 9th, and left for Colombo.

Karim Bakhsh.

1259. Trichinopoly, 15–11–94. Karim Bakhsh (son of Khuda Bakhsh), 45, Kabuli horse-dealer (paragraph 76), from Mattigiri on the 12th.

Bahadur Khan.

Bahadur Khan (son of Khaji Khan), 45, Patan dealer in asafœtida (paragraph 1222), went to Dindigul on the 3rd and returned on the 9th.

Allah Daud Khan.

Allah Daud Khan (son of Muhim Khan), 45, Patan trader, *ex-convict* (paragraph 1195), arrived on the 11th from Negapatam.

Sikandar Khan.

19–11–94. Sikandar Khan (son of Ismail Khan), 60, Kabuli, trading in ganja (paragraph 1059), came from Madura on the 12th and returned on the 15th.

Kisha-din Khan.

Kisha-din Khan (son of Khair Muhammad), 40, Kabuli, selling *attar*, from Calicut on the 13th.

Saval Khan.

Saval Khan (son of Nur Muhammad), 29, Kabuli horse-dealer (paragraph 450), from Tanjore on the 15th, and returned on the 18th.

Aziz Muhammad.

Aziz Muhammad (son of Aziz Dad), 50, Panjabi fakir, from Ariyalúr on the 15th.

Muhammad Ali, Amir Khan.

1260. Vizagapatam, 12–11–94. Muhammad Ali (son of Akbar Ali), 40 (paragraph 1123), and Amir Khan (son of Momin Khan), 80 (paragraph 737), of Peshawar, fakirs, from Bezwada on the 6th, and left for Vizianagram on the 7th; are on their way to Cuttack.

Saiyid Sharif.

1261. Madras City. Saiyid Sharif (son of Saiyid Haji Mirza Kurchaq), 55, of Shiraz, Mogul beggar, from Rangoon on the 14th.

Shaikh Salay, Shaikh Masum.

Shaikh Salay (son of Shaikh Umar), 50, and Shaikh Masum (son of Shaikh Ahmad), 55, Arab cloth merchants (paragraph 1160), from Singapore on the 15th.

Zafr.

Zafr (son of Ali), 28, Arab beggar, from Singapore on the 15th and left for Bombay on the 16th.

Shaikh Ali Muhammad.

Shaikh Ali Muhammad (son of Shaikh Amir), noted in paragraph 892, left for Negapatam on the 8th.

Saiyid Abd-ur-rahman.

SaiyidA bd-ur-rahman (paragraph 1045, vol. vi) arrived from Venkatagiri on the 2nd and left for Bangalore on the 3rd.

Kalu, Mulla Bakhsh, Qamr-ud-din, Ibrahim, Mathab-din.

The Panjabi astrologers noted in paragraph 767—Kalu, Mulla Bakhsh, Qamr-ud-din, Ibrahim and Mathab-din—left for Bombay on the 6th.

Lakhan.

Lakhan (paragraph 767) left for Bombay on the 6th.

Saiyid Qasim.

Saiyid Qasim (paragraph 453) left for Bangalore on the 5th.

Shaikh Abd-ullah.

Shaikh Abd-ullah (paragraph 583) for Vellore, by road, on the 6th.

Saiyid Suliman Shah.

Saiyid Suliman Shah (paragraph 1224) left with his family on the 15th for Bangalore.

Elias Beg *alias* Yotthash Beg.

Elias Beg *alias* Yotthash Beg (paragraph 806) left for Pondicherry on the 16th.

Malay Shah, Ghaus Shah.

Malay Shah and Ghaus Shah (paragraph 962) for Vellore on the 17th.

Illicit trade in percussion caps.
(Para. 1161.)

1262. With reference to Times and Co., mentioned in paragraph 1014 current, inquiries in England disclose that "the firm of *Fracis* (not *Francis*) Times and Co. has been for many years, certainly more than twelve, at 27, Leadenhall street, London, engaged in the Bombay and Karachi trade. Mr. Fracis is a Parsi and has resided for the last four years at a port in the *Persian Gulf*. The firm is apparently considered to be in good repute."

Kandakur Muhammad Husain.
(Para. 1225.)

1263. In connection with paragraphs 1099 and 489 current, in which one Kandakur Muhammad Husain was fined for unlicensed possession of a gun, the following report of the Superintendent of Police, Kolar, to the Inspector-General of Police, Mysore Province, gives full information :—

"I beg respectfully to submit the following report on the result of inquiries instituted by me as per your orders *in re* the manufacture and sale of arms bearing Government marks by Abd-ullah Sahib, potail of Sunkal, in the Srinivasapur sub-taluk.

"On the 12th August 1894 I proceeded to Sunkal in company with the deputy amildar. Abd-ullah Sahib admitted having sold a breech-loading single-barrel gun one year ago to one Kandukur Husain Sahib, of Madanapalle, British territory (Cuddapah district), for Rs. 20 or 30, and explained that it was manufactured by his brother-in-law, Shujaat Khan, out of the gun stocks bought by him at the auction sale held in the market, Bangalore.

"The house and the workshop of Abd-ullah Sahib were visited and two breech-loading single-barrel guns, bearing Government marks, two barrels and a large number of gun stocks were discovered.

"With regard to the two fire-arms bearing Government marks, his explanation is that he got them manufactured by his brother-in-law, the said Shujaat Khan, out of materials bought of one Abd-ul Hakim, a license-holder in the cantonment of Bangalore, about eighteen months ago for Rs. 30. The barrels, he says, were purchased by him from Chengalrayappa, of Bangalore, for Rs. 8-8-0 about a year ago in the presence of one Shaikh Ahmad and another Mastan Sahib, of Bangalore. The gun stocks are explained to be the remnants of a lot of unserviceable materials purchased for him by the said Shujaat Khan at the auction sale, held in Bangalore in January 1892, to the value of Rs. 150 or 200.

"I went to Chintamani with the two guns and two barrels referred to and showed them to Shujaat Khan in the presence of the amildar. He said that the guns did not appear to have been manufactured by him; that he could not say whether the two barrels formed part of the things he had purchased from a Hindu in the Bangalore market, who had just then obtained them at the auction sale of condemned articles of the military store; that he knew Chengalrayappa, but he neither bought anything from him nor got anything prepared by him; that he manufactured several guns for Abd-ullah Sahib, but he could not speak to their disposal by him and that he could identify the gun sold by Abd-ullah Sahib to K. Husain Sahib from its workmanship, if shown to him.

"On the 15th instant I took both Abd-ullah Sahib and Shujaat Khan to Bangalore as per your orders and confronted them with Chengalrayappa, who denied having ever seen the former or sold him the barrels (shown to him) as alleged. Abd-ullah Sahib said that he (Chengalrayappa) was not the person from whom he had purchased the things in question, and he could not point out the other Chengalrayappa from whom he purchased them. Muhammad Husain referred to by Abd-ullah Sahib deposed that the latter bought the barrels not from Chengalrayappa, but from a person (Hindu) in the Bangalore market and who that person was and where he had gone to he did not know.

"The other man, Mastan Sahib, named by him (Abd-ullah) was absent from Bangalore.

"Chengalrayappa identified Shujaat Khan and said he was his friend but he did not make any purchases from him. I carefully examined his register, but could not find the names of either Abd-ullah or Shujaat Khan.

"My inquiries showed that there was no other man in Bangalore of the name of Chengalrayappa.

"Abd-ul Hakim, one of the license-holders in the cantonment, Bangalore, deposed to his having sold five broken bits of barrels and a couple of breeches bearing Government marks to Abd-ullah Sahib for Rs. 29. He has kept no accounts to prove his statement.

"I visited several workshops both in the cantonment and Bangalore city and found in each of them guns bearing Government marks, some broken bits of bayonets and swords and a large number of gun stocks. The owners were in possession of licenses, the terms of which have yet to run. The accounts they have kept exhibit only the transactions in respect to prepared arms.

"I made inquiries as to how these license-holders become possessed of the articles bearing Government marks. It would seem that large numbers of condemned arms of the British force are broken up, marked and sold by public auction in Madras. One Muhammad Abd-ullah, of Bangalore, buys them up wholesale, transports them to Bangalore and sells them retail by auction in the market. No accounts are kept either by the vendor or vendee. Some of the latter make horse shoes out of the said materials, while others (holding licenses for manufacture and sale of guns) mend them in the best way they can and fit them up, purposely retaining the Government impressions on them, so that the arms might be appreciated and passed off as of English make. Cypher is stated to be the symbol of condemned articles. It is not visible on all of them. The absence of cypher is explained to be due to carelessness on the part of the men entrusted with the task of stamping them in the Madras General store.

"The points for consideration are (1) whether Abd-ullah Sahib held a license to *manufacture* and sell arms, &c., (2) whether the license authorised him to possess and keep gun stocks, barrels, &c., (3) whether the arm sold to K. Husain Sahib had been manufactured by Abd-ullah Sahib, (4) whether the sale was within the time of the license, and (5) whether Abd-ullah has acted in contravention of the provisions of the Arms Act.

"With reference to point (1) I beg to state that Abd-ullah Sahib was granted a license for one year in form No. III, which authorised him only to *keep* and *sell* arms and not to *manufacture* them.

"As regards point (2) the Chief Court have ruled in their judgment in appeal cases, Nos. 64 and 65 of 1893, that possessing or keeping gun stocks, barrels, &c., *without a license* is no offence under section 14 of the Arms Act.

"With reference to point (3), I beg to invite the favour of a reference to Abd-ullah Sahib's statement, dated 12th instant, from which it is clear that the gun sold by him to K. Husain Sahib was not manufactured out of the materials purchased in Bangalore.

"Referring to point (4), I beg to state that the term of the license held by Abd-ullah Sahib expired on the 31st December 1893.

"From the Madanapalle inspector's report received with letter No. 574 of the 16th June 1894 from the Deputy Inspector-General of Police, Central Range, it will be seen that, on the 9th February 1894, a certain ghât talyari produced the gun in question saying that the same was given to him by K. Muhammad Husain. The latter has merely stated that the weapon was given to him by Abd-ullah Sahib for sale, so it is not clear when it was sold to K. Husain as admitted by Abd-ullah Sahib. Unless the exact time is known, the offence of having sold the gun after the expiry of the term of the license cannot be safely brought home to Abd-ullah.

"Adverting to point (5), I beg to state that Abd-ullah Sahib does not seem to have kept any record and account of all stocks and of all sales of arms, &c., as required by rule 8 of the Arms Rules. He further failed to produce the license granted to him."

NOTE.—The gun seized in Madanapalle was sent to the Ordnance officer, Bellary, for examination who reports that "there are the Government marks on the barrel and breech block."—*S.B.*

Breech loader
I think "block" is right

1264. Vizagapatam, 10-11-94. One Varadha Varahalu for possessing a pistol without a license was sentenced by the Huzur Deputy Magistrate to pay a fine of Rs. 3, in default six days' rigorous imprisonment, on 30th October 1894 (calendar No. 36).

PERSONS OF NOTE.

Maharaja of Vizianagram.
(Para. 379.)

1265. Madras City, 20-11-94. The Maharaja of Vizianagram with his followers arrived in Madras yesterday, 19th November 1894, and have put up in Admiralty House, Mylapore.

POLITICAL.

Congress.

1266. Ganjam, 11-11-94. The District Superintendent writes:—"I enclose a notice and pamphlet regarding the collection of money in support of the Tenth Congress meeting to be held in Madras in December next.

"Many of these notices and pamphlets have been sent to Berhampur, the latter being freely distributed and the former posted up in all conspicuous places.

"A meeting was held in the Kallikóta club in Berhampur where I understand some Rs. 286 were collected, and it was decided that door-to-door collection should be made, but the latter has not commenced as yet.

"One Abbivilli Nelachalam takes the principal part in posting notices and distributing pamphlets. This man is the second master in the Berhampur town school."

NOTE.—The pamphlet has been sent to the Government Translator.—*S.B.*

MISCELLANEOUS.

Montbars, G. R.
(Para. 1169.)

1267. Madras City, 17-11-94. This individual has evidently come in for a windfall of late. He has for the past month or two been sporting about Madras in a carriage and pair and a dogcart, being most fashionably dressed and giving out that he had received money from his people at home. There can be no doubt that he has been up to some deep game lately. It is known that he cashed a currency note for Rs. 500 received by money order about the 27th October 1894 from Calcutta from, it is supposed, some one giving his name as "Voosoo," who is either a confederate or victim in some bogus concern. Montbars sent a letter to the Vepery post office the other day, written on paper, with the following printed headings:—

International Supply Company.
Purveyors to His Excellency the Governor and Commander-in-Chief.
Dealers in Wines, Liquors, Oilmanstores, Fancy Goods, Drapery, Furniture, &c.
Sale Rooms.—Mount Road.
Offices.—Vepery High Road.
Head Office.—London, E.C.
Branches.—Manchester, Edinburgh, New York, Chicago, Valpraiso, Melbourne, Adelaide, Singapore, Madras.

This letter, which was signed Howard Donald, asked the postmaster to deliver all letters to the address of Howard Donald, Agent, International Supply Company, to the bearer, his wife. He obtained a dogcart and horse and a large quantity of valuable furniture on hire, representing himself as Frank Graham, Forest officer on leave, and attempted to sell these things but was frustrated. After this, on the 15th November 1894, he took his departure per S.S. *Palitana* for Rangoon as a deck-passenger, thus showing that he had run out of all his money. A warrant will be applied for for his arrest for attempt at criminal breach of trust in respect to these hired articles.

Note by Commissioner.—Warrant has issued and Superintendent, Police, Rangoon, has been communicated with by telegraph.

Saiyid Hashim and Swistenoff.
(Para. 1237.)

1268. Bangalore, 17-11-94. Saiyid Hashim (paragraph 1237) has left Bangalore to-day at 10 A.M. for Mysore. He states he is going to Seringapatam to visit Tippu Sultan's grave, &c., and is then going to Hubli and on to Bombay. Swistenoff is still here.

Ramaiahs of Bijnor.
(Para. 1199.)

1269. Madras City, 8-11-94. The Ramaiahs reported in paras. 945 and 969 current left Madras for Pondicherry *viâ* Saidapet on 5th November 1894:—

1. Nadar Singh.
2. Audsum Singh.
3. Gulab Singh.
4. Nowbot Singh.
5. Thoybi Singh.
6. Jola Singh.

1. Nadar Singh.
2. Jamal Singh.
3. Kaval Singh.
4. Narayana Singh.
5. Kaval Singh.

EXTRACTS.

Swami Nath, Madrasi.

1270. "*Dacca*, 24-10-94. A Madrasi, of Tanjore, named Swami Nath, son of Sada Shibam, and his mother have arrived from Barisal; profess to cure piles, gangrene, fistula, &c., and gave their Calcutta address as 15, College street.

"NOTE.—*Vide* paragraph 1944,* where the Madrasi's name is given as *Rama Swami.*" (*Bengal No.* 43 *of* 1894, *paragraph* 3216.)

* Madras para. 1022.

NOTE.—Will District Superintendent, Tanjore, please note and report.—*S.B.*

John Morton.
(Madras para. 1242.)

1271. "*Cuttack*, 12-11-94. J. Morton, mentioned in paragraph 1908, has suddenly disappeared from Cuttack. He proved to be a bad lot and of no use as a farrier. He obtained small advances of money from some of the residents, promising, in return, to shoe horses and then left in the direction of Madras. (*Ibid.* 45 *of* 1894, *paragraph* 2333.)

NOTE.—District Superintendent of Police, Ganjám, please note.—*S.B.*

Sasa Nand, Bramchari.

1272. "Sasa Nand, Bramchari, of Ramaswar, in the Madras Presidency, arrived at Simla on the 23rd October. He says that he is on his way to Mani Karn." (*Panjab No.* 44 *of* 1894, *paragraph* 2231.)

NOTE.—Will District Superintendent, Madura, please note and report.—*S.B.*

The Nizam of Hyderabad's contribution to the building of a new mosque in Katra Dhobian, Delhi.

1273. "*Delhi*, 27-10-94. It is said that the Nizam of Hyderabad has granted Rs. 250 to Maulvi Hasan Raza Khan of Farash Khana as a contribution towards building a new mosque in Katra Dhobian." (*Ibid. paragraph* 2236.)

Muttra, Brahmin, from Travancore.

1274. "*Delhi*, 27-10-94. Muttra, a Brahmin, from Travancore, has come to Delhi soliciting money for building a new temple near Sethband, Rameshar (Adam's bridge). The Marwaris are collecting Rs. 300 for him." (*Ibid. paragraph* 2237.)

NOTE.—The Resident in Travancore please note.—*S.B.*

F. E. C. CARR,
Ag. Assistant with the Govt. of Madras.

DEPARTMENTAL NOTICE.

Report for the week ending 10th November not received from Jeypore.

Statement of the movements of Criminal Gangs from one district to another, published with Madras Secret Abstract of Intelligence No. 45 of 1894.

District and District No.; also S.B. No.	Tribe or caste.	Name of leader or headman.	Composition of gang.			Cattle.					Purpose of journey or ostensible occupation.	To what crimes addicted.	Date of arrival—Where-from.	Date of departure—Where-to.	Conduct in district.	Full particulars of headman or of any members of the gang who have been convicted or against whom there is any suspicion. In case of conviction, calendar number, &c., to be given. (This column should also contain the information entered in columns 16 and 17 of the existing Wandering Gang Lists.)
			Men.	Women.	Children under 14 years.	Bullocks.	Ponies.	Goats or sheep.	Donkeys.	Other.						
Coimbatore, No. 28. S.B. No. 14.	Ondypily Koravars.	*Names of males.* 1. Rama Dasari. 2. Sanjivi Dasari. 3. Narasimma Dasari. 4. Do. do. 5. Subba Dasari.	5	6	8	..	1	..	..	Three dogs.	Trading in precious stones.	Theft and robbery.	25th October 1894, Komarapattom attached to Tiruchengód taluk, Salem district.	..	Suspicious.	One Subba Dasari of this gang is now under trial at Tiruppattúr, Salem district, for robbery attended with murder, and another member was convicted * of cattle *theft* in Námakkal. This gang requires to be closely watched. * Note.—Calendar number, &c., of this case should be reported.—*S.B.*

Note.—*Nellore District Gangs Nos.* 29 *and* 33 (*S.B. Nos.* 13 *and* 12, *respectively*)—*vide* statement published with Abstract No. 43—are reported by Nellore Police to have come back to the district on 14th October 1894 from Annasamudram of Kurnool district.

Nellore District Gang No. 51 (*S.B. No.* 2)—*vide* statement published with Abstract No. 34 —is reported by Nellore Police to have come back to the district on 19th October 1894 from Saparalapallay of Tungutur, Cuddapah district, with 7 bullocks, 5 goats, 24 cows, and 2 dogs.—*S.B.*

Confidential No. 461

Circulated

5/12/94

w/10 Dec

Judl. Dept

Order: 12 Decr 1894 No. 3071.

The following extract from the report of the Suptt of Police, Kolar, to the I.G. of Police, Mysore regarding the enquiries instituted by him as to the manufacture and sale of arms bearing Govt. marks by Abdullah Sahib, potail of Sunka in the Srinivasapur Sub taluk will be comd: to the Mily. Dept.

[Here enter extract]

11/12

Mily. Dept. Despd 13/12

14/12

Confidential No. 461

READ AGAIN ORDER OF GOVERNMENT, DATED
18 , No.

BACK PAPER, No. of 18 .

FURTHER PAPER, No. Con 34 of 1895

ENCLOSURES.

Spare copies.

Struck	
Issued	
Total ..	
In Stock ..	

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 monthly volume.

Confidential No. 461

[G/14]

Confidential No. 172
1894.

Judicial DEPARTMENT.
G.O., DATED 12-12-94
No. 3071
Series. mis.

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Arms and Ammunition: Drawing the attention of the Judl. Dept to an extract in the Police abstract of intelligence viz. —

No. 1206.
Office of the Supt of Police,
Vizagapatam, 7/8th November 18

From
H. G. Young Esq.
Superintendent of Police,
Vizagapatam.

Enclosure to Letter No 7279 d/ 14-12-94

To.
The Inspector General
of Police, Madras.

Thro' The Dy Inspr Genl of Police, N. Range.

Sir,

In accordance with your remarks as conveyed to me on a Weekly Report recently submitted by Mr Powell, I have the honor to report the following instances of neglect, dilatoriness and inattention to orders on the part of that officer during the time he held charge of the Parvatipur rain[illegible]

1. In my No 1348 [illegible] 94 a reminder [illegible] to followed [illegible]
attent[illegible]

[illegible] 8. 94 — " 895

the dat[illegible]

of the [illegible]

until

Confidential No: 461

to Mr. Thomas he reported the result
the enquiry which he had made upw
of a month previously, in his letter
No. 190 of that date, in this he offers no
explanation for not going into the
complaint within a reasonable time
after the papers connected with it
reached him. On referring to the Complaint
Register I find that this complaint
has not been registered therein, in
fact Mr. Powell has registered only
one complaint (30.7.93) since 1st Apri
1893, the date he assumed charge of
the Parvatipur Division.

6. On the 9th August Judgment in
Agency case No. 16 of 1894 in which the
Agent passed some very unfavorable
remarks on the conduct of the Jagadal-
-pur Police was forwarded to Mr.
Powell for personal enquiry and
report for the Inspector General's
information. Reminders were sent
to him on

5.9.94 — No. 1003
18.9.94 — " 1040

Mr. Powell was at Bissemcuttac
the Cusbah station of the Di
in which Ja

from the 22nd to the 29th August but as
made no enquiry of any sort, so far
as I am aware, into the matter under
reference. Mr. Thomas has now
proceeded to Jagadalpur to make
the necessary investigation.

7. On 13th August with my letter
No. 926 appeal petition No. 43/1894
was forwarded to Mr. Powell for
certain information required by
the Deputy Inspector General.
Reminders on the subject were
forwarded on

5.9.94 — No. 1005
17.9.94 — " 1028
8.10.94 — " Extra B.

the appeal petition with the informa-
-tion called for was at last return-
-ed on 13.10.94 with Mr. Powell's
letter No. 197 dated the 6th Idem.

8. On the 6th September a Dacoity
was committed within the limits of
Narayanapatnam station and
property to the value of Rs 200 and
odd stolen, the Crime report on the
case reached the Parvatipur Office
on the 8th but the case was not report-
-ed by Mr. Powell in Weekly Report

until

Confidential No. 461

I find that the names of several Head Constables serving in the Parvatipur Sub. Division have been omitted, in fact, Mr. Powell has not recorded in this Register the particulars of any one of the men who have been promoted to the grade of Head Constable since the time he assumed charge of this range.

11. In the Complaint Register kept under P.O. No 301 Mr. Powell has entered only one complaint the date of which is 30 July 1893 but has not recorded the manner in which he disposed of it, a complaint which in May last I directed him to record in this Register has been omitted as have several others which must in the ordinary course of events I should think have been preferred to him during the past 18 months - I could quote other instances of neglect and inattention on Mr. Powell's part but I think the facts above recorded are sufficient to shew the way in which Mr. Powell has persistently neglected his work during the time he has served as my Assistant

I have &c.,
(Signed) H. G. Young,
Superintendent of Police,
Vizagapatam Dt.

Remarks by Dy. Inspr Genl. of Police
Northern Range.

No. 1612.

Mr. Powell has been giving trouble ever since he joined the Parvatipur Sub. Division. He has little or no idea of discipline - He utterly disregards distinct orders given to him in writing by his Superintendent and I have had occasion to reprimand him for his faults both in person and in writing. I have endeavoured in demi-official correspondence direct with him to awaken him to a sense of duty but all to no purpose. He is by no means wanting in ability but he is lazy to a degree. Procrastination, a serious fault in a Police Officer, and extreme apathy are his leading characteristics -

It is the opinion of his Superintendent

Confidential No: 461

Mr Young, which I also share th
Mr Powell's slackness has incre
since his confirmation as Assis
Superintendent on 4.2.94 —

(Signed) W. J. A. Sullivan
Dy Inspr Genl N. Ran

Waltair
10-11-94

(True Copy)

Asst Inspr Genl of Police

1894
Jud Dept.
Enclos: No. 1
To
O. No. 6599

500—9—93.

DEPARTMENT.
No. 7279

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,
Madras, 11th December 1894.

6599

CURRENT

FROM
Colonel C.A. Porteous
INSPECTOR-GENERAL OF POLICE,

TO
THE Chief Secretary
to Government,
Fort Saint George.

SIR,

Enclosures.
one

In forwarding the accompanying report of the Superintendent of Police, Vizagapatam on his Assistant Mr Powell I regret to be obliged to confirm the very unfavourable opinion of that officer entertained by the Superintendent and Deputy Inspector General.

Mr Powell is careless and apathetic to a degree and in no way realizes the responsibilities of his office - time after time he has been checked but without effect.

(2) When His Excellency the Governor visited Bobbili Mr Powell should have presented himself there - but he failed

to

Confidential No. 461

Judl. (1894) DEPARTMENT.

CURRENT No. 6579

FROM

Col. C. A. Porteous,

INSPECTOR-GENERAL

OF POLICE.

No. 7279

Dated 11 } December 1894.
Received 12 }

CHIEF SECRETARY
GOVERNMENT OF MADRAS
12 DEC

No.

Encl. one

SUBJECT.

Forwarding with his opinion report from the Superintendent of Police, Vizagapatam, on his Assistant Mr. Powell.

W.D.

C.S.
~~Hon~~

Order 14th Decr: 1894, No. 3082
mis

A copy of the first two paragraphs of the letter read abo
and of the reports of Messrs Young and Sullivan should ~~will~~ be furnished to Mr. Powell by the I.G. of Police in order that he may ~~and he will be requested to~~ submit within a time to be fixed by the I.G. any explanation he ma wish ~~have~~ to offer.

D
13/12

Jnd
13/12/94

Note for Ca.

As this is an intermediate reference it is thought that H.M. need not be troubled with it. – Perhaps the last paragraph of Col. P.'s letter should not go to Mr. Powell; it merely contains his recommendation to bring a charge against him

D

I.G., Police C.Q.

Despd
15/12

Mr. Powell's previous history will of course be noted when his explanation comes up.

BACK PAPER, No. of 18

READ AGAIN ORDER OF GOVERNMENT, DATED 18 , No.

FURTHER PAPER, No. 1129 of 1895

ENCLOSURES.

Spare copies.

Struck .. .. ..
Issued .. .. ..

CURRENT No.

STATEMENT WITH DITTO.

Total ..

In Stock ..

ORDER, &c., OF GOVERNMENT—A.

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

ER OF COPIES QUIRED. { 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 monthly volume.

[G/14]

Confidential No. 174
1894.

Judicial Department.

G.O., dated 14-12-94

No. 3082

Series. Mis.

Confidential.

First copy sent to Press.

Returned for signature.

Despatched 15-12-94

[Despatch Abstract.]

Mr R. M. Powell asstt Suptt of Police.

R. 14/2/95

Confidential.

No.

From

J. P. HEWETT, Esq., C.I.E.,
Offg. Secretary to the Government of India,

To

Home Department.
Judicial.

Simla, the 23rd October 1894.

Sir,

I am directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice [illegible] District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10 94.—300.

Confidential.

No.

FROM

J. P. HEWETT, ESQ., C.I.E.,
Offg. Secretary to the Government of India,

To

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10 94.—300.

Confidential.

No.

FROM

J. P. HEWETT, ESQ., C.I.E.,
Offg. Secretary to the Government of India,

TO

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10 94.—300.

Confidential.

No.

FROM

J. P. HEWETT, ESQ., C.I.E.,

Offg. Secretary to the Government of India,

TO

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may

be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10 9/ —300.

Confidential.

No.

FROM

J. P. HEWETT, Esq., C.I.E.,

Offg. Secretary to the Government of India,

TO

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10-94.—300.

Confidential.

No.

FROM

J. P. HEWETT, Esq., C.I.E.,
Offg. Secretary to the Government of India,

TO

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10-94.—300.

Confidential.

No.

FROM

J. P. HEWETT, ESQ., C.I.E.,

Offg. Secretary to the Government of India,

TO

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

ect,

Court presided over by an officer who is not himself a European British subject, directions may

be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. HEWETT,

Offg. Secretary to the Government of India.

G. C. Press, Simla.—No. C. 21 H. D.—23-10-94.—300.

SC of Jud Cur. 5797 of 94

CURRENT No. 5797

Confidential.

No. 12 Judl / 1162

GOVERNMENT OF MADRAS ★CHIEF SECRETARY★ 29 OCT 1894

FROM

J. P. HEWETT, ESQ., C.I.E.,
Offg. Secretary to the Government of India,

TO

The Chief Secretary to the Govt. of Madras.

Home Department.
Judicial.

Simla, the 23rd October 1894.

SIR,

I AM directed to inform you that the Governor General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the Courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency Towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European, or an American, can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice, and should be ordinarily followed.

4. The Governor General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a

Court presided over by an officer who is not himself a European British subject, directions may, with the permission of the Governor in Council, be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from Courts where it is undesirable that they should be tried, and to transfer them to other suitable Courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the First Class.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Hewett

Offg. Secretary to the Government of India.

CURRENT NO 5797

Con No 137 of 94

Judicial Deptt

Order: 7th Nov 94
F.S. No. 2690

from

The Govt. of India,

Home Dept.

Communicated to the Hon. the Judges of ~~the H. Ct.~~, all Dt. Magtes & the Govt. Pleader for information

2. Dt. Magts. & the Govt. Pleader will note the instructions conveyed in the ~~[illegible]~~ last two paras. of the G. of I's letter.

31/10/94

No: 12. Jud. / 1162

The Hon. the Chief Justice, with Ch. with 6 S.C.
All Dt. Magtes
The Govt. Pleader with 1 S.C. each
Copy to the Chief Presy Magte
" " Govt. Solicitor

Dr. 23
Rd 29
Apd 30 } Oct 94

7 Sp. copies

Re procedure in criminal trials in India of European & American subjects.

7TH NOVEMBER 1894, No. 2690, JUDICIAL.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From J. P. HEWETT, Esq., C.I.E., Offg. Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, 23rd October 1894, No. 12/1162-Judl.

I am directed to inform you that the Governor-General in Council has had under his consideration the procedure in criminal trials in India applicable to subjects of European Continental States, as well as to American citizens. The object of His Excellency in Council is that European foreigners and Americans accused of offences should be tried by the courts best acquainted with their feelings and disposition, and therefore more competent to administer effective justice.

2. In the Presidency towns, as defined by section 4 (*h*) of the Criminal Procedure Code, Presidency Magistrates are by section 443 of the Code empowered to exercise over European foreigners and Americans the same jurisdiction as they exercise over European British subjects. Commitments are made to the High Court—all trials before which must be by jury—and under section 460 an accused who is a European or an American can claim that, if practicable, not less than half the jury shall be Europeans or Americans. There is here every guarantee afforded that a European or American shall be tried by a tribunal which is sufficiently conversant with his feelings and disposition.

3. Beyond the limits of the original jurisdiction of the High Courts a European foreigner is subject to the jurisdiction of all Criminal Courts within the powers conferred on them respectively by the Code of Criminal Procedure. It is believed, however, that the number of such foreigners is not large and that it is generally the practice of District Magistrates, acting under the powers given by section 192 and chapter 44 of the Criminal Procedure Code, either to reserve cases in which such foreigners are concerned for trial by themselves or to transfer them for disposal to European officers. This practice is desirable and advantageous in the interests of justice and should be ordinarily followed.

4. The Governor-General in Council notices that the Criminal Procedure Code already recognises, in section 460, the principle that in serious cases triable by jury or with the aid of assessors a European or American accused person other than a British subject is entitled to the advantage of trial with the aid of persons of European race, who may reasonably be assumed to be better acquainted with his feelings and disposition than Asiatics. It is desirable to facilitate this procedure, and His Excellency in Council therefore desires that in any case in which an application may be made to a High Court under section 526 by or on behalf of a European foreigner or American for transfer of his case from a court presided over by an officer who is not himself a European British subject, directions may, with the permission of the Governor in Council, be issued that it shall not be opposed on the part of Government.

5. In the case of offences triable by Magisterial Courts, section 528 of the Code enables the District Magistrate to withdraw such cases from courts where it is undesirable that they should be tried, and to transfer them to other suitable courts; and I am to request that District Magistrates may be instructed, except in cases of minor importance, where an option may be allowed to the accused, that action in this direction under this section should, where possible, be taken when the accused is a European foreigner or American, the case being transferred for trial by a European Magistrate of the first class.

ORDER—dated 7th November 1894, No. 2690, Judicial.

Communicated to the Honorable the Judges of the High Court, all District Magistrates and the Government Pleader for information.

2. District Magistrates and the Government Pleader will note the instructions conveyed in the last two paragraphs of the Government of India's letter.

(True Extract.)

(Signed) J. F. PRICE,
Chief Secretary.

8/ To the Honorable the Chief Justice, with C.L.
,, all Districts Magistrates.
,, the Government Pleader.
Copy to the Chief Presidency Magistrate.
,, ,, Government Solicitor.

Exd. S. J. Pereira.

[7]

Confidential No. 149.
1894.

Judicial DEPARTMENT.

G.O., DATED 7-11-94.

No. 2690

Series. ~~[illegible]~~

First copy sent to Press. 7-11-94

Returned for signature. 14-11-94

Despatched 16-11-94

[Despatch Abstract.]

Criminal trials: ~~Laying~~ Comg to certain officers letters from the Govt. of India laying down the procedure to be adopted as regards the — in Indian of ~~[illegible]~~ subjects of European Continental States and American citizens

Confidential.

Confidential

Trevandrum
5th October 1894.

Ref: m. No 3836.

From
H. B. Grigg Esqre C.I.E.
Resident in Travancore & Cochin

To
The Honble J. F. Price C.S.I.
Chief Secretary to Govt of Fort St George
Ootacamund.

Sir,

With reference to para 2 of G.O. dated 30th July 1894 No 1856 I have the honor to inform you that Quadir Mohideen Rowthers Bombay Agent is said to be one Cassim Rowther and his Madras Agent Hussenar Rowther in Tamil (ஆ.ப.கா.ஏ.அலஹுஸைனார்)

I have the honor to be
Sir
Your most obedient Servant
H. B. Grigg
Resident in Travancore & Cochin

3.

and as it was not honoured Messrs. Jeevajee & Co sent a Gumastah to Trivandrum to make enquiries. The Gumastah returned with a report that Qadir Mohiuddin appeared to be hopelessly insolvent.

4 —— Messrs. Jeevajee & Co have since then ceased to have any dealings with Qadir Mohiuddin or with his Agent Husseinar but the latter apparently finds others who will trust him for he has been purchasing cloths and other goods on Credit on account of the former and has sent them to Trivandrum and Tinnevelly.

5 —— Nothing is known against Husseinar: he is poor and hard up for money but appears to be respectable and honest.

6 —— The letter under report is returned herewith.

I have the honour to be
Sir
Your most Obedient Servant

Colonel
Commissioner of Police
Mas.

File

Confidential No. 396

Judicial Dept

5825

From.

The Commissioner of Police
Madras

To

The Chief Secretary to Govt.
Fort St. George

CHIEF SECRETARY
31. OCT. 1894
GOVERNMENT OF MADRAS

Dated 30 } October 1894.
Received. 31 }

No. 121.

Enclosure One.

Ameenar Rowther

Submitting his report on the status of —— who has been acting here as Agent for Kadir Mohudeen Rowther of Trivandrum

---

Through A

For Orders

This may perhaps be recorded.

The Special Branch may think it worth while to make enquiries as to Kadir Muhiuddin Rowther's Bombay Agent.

2 Nov.

3/11/94

8/11/94

The Commr. of Police Bombay will be addressed concerning Cassim Rowther —

The Resident in Travancore gave the S.B. further information with regard to the caps (percussion) stored in Alleppey & Aramboli, which information has been embodied in the abstract now in the Press.

Th.
5-11-94

Seen
8/11/94

N. Order : 8th Nov. 1894, No. 2706

Recorded.

(Draw orders)

8/11

Letter C. of P. Madras (Q & O)

C. 7/11
R 8/11

Despd
10/11

Date taken

For

READ AGAIN GOVERNMENT, DATED
189 , No.

BACK PAPER, No. Con 117 OF 1894.

FURTHER PAPER, No. Con 159 OF 1894.

ENCLOSURES.

Spare copies.

Struck .. .. ..

Issued .. .. ..

Total ..

In Stock ..

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 monthly volume.

[7]

Confidential No. 151.
1894

~~Political~~ Jud. DEPARTMENT.
G.O., DATED 8-11-94
No. 2706.
Series. mis

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Percussion caps. Recording tters from the Resident in Travancore & Comm.r of Police regarding the Madras Agent of [illegible] Qadr Muhi ud din Rowthan a dealer in arms &c, Trevandrum

---

C.F. 73.

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

2706

C.F. 73.

DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine No.____, dated 8 — 11 — 1934.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
~~14/2/36~~	~~for Gr[illegible]~~					

Confidential.

No. 23 Pub. / 1803.

FROM

J. P. HEWETT, Esq., C.I.E.,
Offg. Secretary to the Government of India,

To

The Chief Secy. to the Govt. of Madras.

CHIEF SECRETARY
6. NOV. 1894.
GOVERNMENT OF MADRAS

Home Department.
Public.

Simla, the 31st *October 1894.*

SIR,

I AM directed to address you with respect to the possession by Natives of India of rifles in accordance with the rules issued under the Arms Act. Under paragraph I of Home Department Notification No. 518, dated the 6th March 1879, certain persons and classes of persons are exempted from the operation of the Indian Arms Act, 1878, except in respect of certain particulars. These particulars do not include the possession of rifles; but the acquisition of rifles, except those intended for *bonâ fide* sporting purposes, is checked by requiring a license for their importation under paragraph VI rule 5 of the Rules published with the Notification cited above. There is nothing to prevent an officer of Government selling a rifle in his possession to a Native exempted from the operation of the Act, provided that he does not infringe the rules issued in the Resolution of the Government of India in the Foreign Department No. 1667, dated the 30th September 1868, for regulating the sale of property to Natives by British Officers.

67
page 353 of file

page 9 of "Rul[illegible] re conduct of [illegible] servants"

2. So far as the Government of India are aware, rifles of a non-sporting character are not sold to any large extent by public servants or non-official Europeans to Natives, but they have no definite information on this point. I am accordingly directed to request that, with the permission of His Excellency the Governor in Council, information may, if possible, be furnished as to the extent to which non-sporting rifles have come into the possession of Natives of India in the Madras Presidency. The Governor General in Council will be glad to receive at the same time an expression of ~~the~~ opinion of His Excellency the Governor in Council as to whether any measures are necessary to regulate the transfer of such rifles by Europeans to Natives of India who are not prohibited from possessing them.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Hewett

Offg. Secretary to the Government of India.

[7].

Confidential No. 152
1894

Confidential.

Judicial DEPARTMENT.
G.O., DATED 9-11-94
No. 2708
Series. Press

First copy sent to Press. 9-11-94

Returned for signature. 15-11-94

Despatched 16-11-94.

[Despatch Abstract.]

Arms & Ammunition

Referring to all Dt. Magtes and the Commr. of Police for report, letter from the Govt. of India asking for certain information as to the extent to which non-sporting rifles have come into the possession of natives of India.

1 R 21/1/95
2 R 14/2/95

5831

1121.

INDIA OFFICE,
LONDON. 4th OCTOBER 1894.

JUDICIAL,
No. 2.

TO HIS EXCELLENCY THE RIGHT HONOURABLE THE GOVERNOR IN COUNCIL FORT ST. GEORGE.

My Lord,

With reference to the despatch of Your Excellency in Council No. 8, dated 13th of August last I have to inform you that from inquiries which have been made by this Office it appears that the firm of Fracis (not Francis) Times and Co. has been for many years, certainly more than twelve, at 27 Leadenhall Street, London engaged in the Bombay and Karachi trade. Mr. Fracis is a Parsee and has resided for the last four years at a Port in the Persian Gulf. The firm is apparently considered to be in good repute.

I have the honour to be,
My Lord,
Your Lordship's most obedient humble Servant,

Henry H Fowler

Alle

Order / mis : 15th Nov. 1894
No. 2765

Recorded

10 Nov

ber 1894.

12/11/94

to Fort St. George

Resident in Travancore (A)
Commr of Police (A)
S.B. – in origl for perusal & return

15/11

Copied 14/11

P = 2

Regd 1/11/94.

Subject

Intimating particulars regarding the firm of Fracis Times & Co

2/11

Note for U.S.

To await return of ~~pa~~ previous papers now with A.S.C.

5/11

Recd

BACK PAPER, No. Con 151 of 1894

FURTHER PAPER, No. 2741 / 80 21/6/55 of 1895

ORDER OF GOVERNMENT, DATED
18 , No.

Spare copies:

Struck .. .. ..

Issued .. .. ..

Total ..

In Stock ..

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 monthly volume.

[G/14]

Confidential No. 159
1894

Judicial DEPARTMENT.
G.O., DATED 15-11-94
No. 2765
Series. mis

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Percussion Caps: Recording despatch from the Secy of State regarding the firm of Tracis Jones & Co.

District Magistrate's office

C.F. 73.

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

2765/15-11-94.

C.F. 73.

DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine No. 2765, dated 15 — 11 — 1894

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
~~14/2/36~~	~~for Orissa~~					

Confidential

MALABAR District Magistrate's office
Calicut, 8th November 1894.

No. 14/Confl.

6003

FROM

A. Moberly Esquire
Ag District Magistrate
MALABAR.
Calicut.

TO

The Chief Secretary to Government
Judicial Department
Madras

CHIEF SECRETARY
12 NOV. 1894
GOVERNMENT OF MADRAS

SIR

With reference to para 4. of G.O dated 22nd October 1894 No 2528 Judicial, I have the honour to state that all the Subordinate magistrates in this District appear to have been invested by Government with power to issue prohibitory orders under Section 144 C.P.C. The wording of the Government Notification is as follows: "Under Section 12 of the Code of Criminal Procedure the undermentioned officers are appointed to be magistrates of the 2nd class and under Section 37 they are invested with all the powers specified in the Fourth Schedule as powers which the Government may confer on a magistrate of that class."

Power to make orders under Section 144 C.P.C is one of the powers which Government may confer on a magistrate (vide Schedule IV C.P.C) I do not therefore think that Sub-Magistrates in this District need be specially empowered by me under Section 144 C.P.C.

I have the honour to be
Sir,
Your most obdt servant
A Moberly
Acting District Magistrate

C.F. 73.

Date

6003
~~6003~~

Judicial Dept

Confidential No. 409

From,

The Ag District Magistrate
of Malabar

To,

The Chief Secretary
to Government
Judicial Dept
Madras.

Dated 8. 11. 94
Desp
Recd. 12. 11. 94.

No.

Encl. nil

Prohibitory orders.

Reporting that all the Subordinate Magistrates in this district appear to have been invested with power to issue ______ under Section 144 C.P.C. and that they need not be specially empowered under Section 144

Read again G.O. 2528 / 22-10-94.

D.M.

Order 17th Nov. 1894, No. 2787
~~P.S.~~ P.S.

15/11/94

The D.M. is correct & para 4 of G.O. of 22 Oct. 94, No 2528, Judl, will be cancelled.

13/11 13th Nov.

To the D.M. of Malabar
- all other D.Ms
- the I.G. of Police

} Despd with 1S 23/11

For Regd receipt See Con No. the 2

Note

I very much regret my failure to notice the point.

C 13/11

17th November 1894, No. 2787, Judicial.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Read—again—

G.O., dated 22nd October 1894, No. 2528, Judicial (paragraph 4).

Abstract.—Authorising the District Magistrates to invest Sub-Magistrates with power to issue prohibitory orders under section 144, C.C.P.

Read—also the following paper:—

From H. MOBERLY, Esq., Acting District Magistrate, Malabar, to the Chief Secretary to Government, dated Calicut, 8th November 1894, No. 14 Confdl.

With reference to paragraph 4 of G.O., dated 22nd October 1894, No. 2528, Judicial, I have the honour to state that all the Subordinate Magistrates in this district appear to have been invested by Government with power to issue prohibitory orders under section 144, C.C.P. The wording of the Government notification is as follows:—"Under section 12 of the Code of Criminal Procedure the undermentioned officers are appointed to be Magistrates of the second class and under section 37 they are invested with all the powers specified in the fourth schedule as powers which the Government may confer on a Magistrate of that class."

2. Power to make orders under section 144, C.C.P., is one of the powers which Government may confer on a Magistrate (*vide* schedule IV, C.C.P.). I do not therefore think that Sub-Magistrates in this district need be specially empowered by me under section 144, C.C.P.

Order—dated 17th November 1894, No. 2787, Judicial.

The District Magistrate is correct and paragraph 4 of G.O. dated 22nd October 1894, No. 2528, Judicial, will be cancelled.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the District Magistrate of Malabar.
" all other District Magistrates.
" the Inspector-General of Police.

42
2
10
54
16
70

C.F. 73

Govt. of {1894} Madras.

JUDICIAL.

CONFIDENTIAL.

Press
Furnish 70 copies
please – 23 for
Signature

Issued.

Recd.

Encl. NS 20/11

G.O., 17th November 1894, No. 2787.

NOVEMBER.

Prohibitory Orders.

Cancelling paragraph 4 of G.O., 2528 of 1894, as regards authorising the District Magistrates to invest Sub-Magistrates with power to issue — under section 144, C.C.P.

Dated
Despatched
Received

Subject.
R.R.

oning th
present
ndents C
olle Clos

Back Paper, No. Com 140 of 1895

Read again Order of Government, dated 189 , No. 22-10-94 No. 2528 – Para 4 – P

Further Paper, No. Com 133 of 1895

Enclosures.

Current No.

Statement with ditto.

Orders, &c., of Government– A.

Papers kept out of File for despatch in original (not paged).

Number of copies required.
- Order complete. 70
- 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 monthly volume.

Spare copies.

Struck	
Issued	70
addresses	44
[illegible]	2
[illegible]	2
[illegible]	3
[illegible]	3
Total ..	54
In Stock ..	16

Confidential No. 160
1894

Confidential.

Judl. Department.
G.O., dated 17-11-94
No. 2787
Series. Press

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Prohibitory orders: Cancelling para 4 of G.O. 2528 of 94 as regards ~~the~~ authorising the Dt. Magtes to invest Sub Magtes with power to issue — under section 144 C.C.P.

ed 6
patched
ived
Ramacha
That Dy
at not
's Charge
's Dy

Conduct of a [illegible]
Roll.

Cs. from orders

Confidential No. 160

2

DEPARTMENT.

Papers to be read i

In Proceedings:—

18 , No.

18 , No.

from

8 , dated

of 1894, dated

6 Nov^t from the

Order. 20^th Nov. 1894, &c

The Dist. Mag^te
to submit to Gov^t
~~w~~ that Mr R.R.
Rao may have to offer w.
regard to the indictment that
has been ~~brought~~ made against him

(from orders)

D
17/11 J.S.

19/11/94

The Dist. Mag^te
with enclosures of his letter
to be returned

Copied 19/11

despd 21/11

Dated 6

spatched 7

ceived 7

ject.

R. Ramacha

that Dy

esent not

nts charge

ctor's Dy

...headrat charge of a division..
...now just 23 years..., being
ex-Statutory, civilian
...ointed on 27 June 1890. – Since
...he has been an assistant Collector
...a Deputy Coll^r of the
...class, Tanjore & Trichy. &
...mbatore, & finally General Duty
...Coll^r, Head Quarter Division, Malabar
where he has been since October
...93 with the exception of a month's
privilege leave & some six weeks at
...ghat.

D
12/11 J.S.
13/11/94

R. R may be called upon to answer to
the indictment? J.S. 13/11

C.R.

~~Order~~

~~The Dist. Mag^te's letter
with its enclosures will
be forwarded to Mr R.R.
Ramachendra Rao in order
he may submit to Gov^t through the Dist. Mag^te any
explanation which he may
wish to offer
(from orders)~~

~~To Mr R.R. R.R.
through the Dist. Mag^te~~

Confl.

Capacity of a
Deputy Collr
D

H. M.

For orders.

C. 13/11
R 15/11

C. No. DEPARTMENT.

FOR ORDERS.

calling on them to show cause why they should not be bound over to keep the peace. He then recorded evidence under S.117 which requires that a Magte. shall proceed "to enquire into the truth of the information "on which he has acted." In spite of the fact that there was practically not a shred of evidence recorded against either of them, (All that is said is that a crowd was assembled at which they were present) — they were both bound over to keep the peace.

3. As ~~sole~~ a instance of Mr. Ramachendra Rao's incapacity as a revenue officer, Mr. Moberley merely refers to his suspension of a stamp vendor because he returned from leave without permission & resumed his business, no substitute having been appointed to act for him. This punishment, as the Dist. Magte. says, requires no comment.

4. These are all cases which occurred between the end of July & the beginning of September; & Mr. Moberley reports them with a view to enabling Govt. to decide whether Ramachendra Rao is at present fit to be put in

---

ndra Rao on the 15th August &
forwarded without comment to the
l. Magte. by who received it on the
August, & called on ~~Mr.~~ Ramachendra
as Subdivl. Magte. to explain why
had not pointed out to Sub magte his
This explanation was that
lendar had been sent on by
ke to the Dist. Magte. before he
perused it. Mr. Moberley charac-
terises this explanation as a very
lame one & apparently disbelieves
. Supposing it to be true, ~~Mr.~~
Ramachendra Rao is to blame for
not supervising his office. Most
subdivisional Magtes. are in the habit
perusing calendars when they
open the tappal. This particular calendar
was in any case detained far too
long in the subdivl. office.

(iii) Calendar cases 89 & 100 being
closely connected, — (they might well
have been disposed of at one trial) —
the judgment in C.C. 89 goes into the
evidence, & that in C.C. 100 runs
"This is the abkari case spoken of
"in the judgment in C.C. 89. I have therein
"stated the grounds of my not
believing in the evidence of the
salt peons. I acquit the accused
under S.245 Cr.P.C." As Mr. Moberley
points out, this evidences gross
ignorance as to the nature & essentials
of a judgment; ~~[illegible]~~
~~[illegible]~~ his

(iv) On receipt of a police report to ~~the effect th~~
to ~~Ramachendra Rao presented to~~
~~record evidence~~ the effect that two
individuals named Mallakatu
Abdulla & Avaker Ratte were
likely to commit a breach of the
peace, ~~Mr.~~ Ramachendra Rao
[illegible] under Cr.P.C. S 112

[G/25]

C. No. 5983 DEPARTMENT.

~~Mr~~ Ramachendra Row shd. be called on for explanation

15/11/94

FOR ORDERS.

Mr. Moberley – the District Magistrate of Malabar sends up for the orders of Govt. a report on the incapacity of M.R.Ry. R. Ramachendra Rao, the Deputy Collector, recently in charge of the Head Assistant's division (Palghat & Ponnani).

2. As evidence of his ignorance of his magisterial powers & duties four cases are cited:–

(i) A letter written to the Dist. Magte. soliciting orders as whether he should proceed S 466 Cr.P.C., or under S 471 Cr.P.C. in the case of a criminal lunatic. As Mr. Moberley remarks Mr. Ramachendra Rao has evidently read Chapter XXXIV of the Code, but at the same time has altogether failed to understand it; what is worse, is that he apparently contemplated writing a judgment based on evidence the whole of which was recorded in the absence of the accused. – This same case was handed up by Mr. Bradley – vide (D. O. of 24. 8. 94 No 115) –; Mr. Moberley was then directed to report the matter officially if he thought fit to do so.

(ii) A case of robbery being tried by a second class submagis

---

URRENT NO. 5983

Judicial Department

nfidential No 408

9 NOV. 1894

FROM

THE COLLECTOR and DISTRICT MAGISTRATE OF MALABAR.

Calicut

TO

THE Chief Secretary to Government

Judicial Department

Madras

Dated 6
Despatched 7
Received 7
November 1894.

No. 13 / Conf. 94

Enclosure. 3 & Records in CC Nos 377 38 of 94

Subject.

R. Ramachandra Rao Actg

sting that Dy Collector ~~—~~

apres – not fit to be

ndent charge of the Head

ollectors Dn

that Mr. Ramachandra Rao has not sufficient experience to be entrusted with the charge of an important division like Palghat.

7. Of his revenue work, I need only note one instance. A certain Stamp Vendor applied for leave on a substitute named by him. Leave was granted; but no substitute was allowed. The Stamp vendor returned after a few days and resumed business. Mr. Ramachandra Rao suspended the man for one month for returning from leave without permission. Comment on the case is, I think, unnecessary.

I have the honor to be
Sir,
Your most obedient Servant

Ag District Magistrate

Keep the peace. In the case (Misc: Case No. 37 of 1894) against Abdullah the evidence was practically the same as in case No. 38, yet he was bound over to keep the peace. The records of the two cases are forwarded herewith. The Government will see that the evidence recorded was not sufficient to justify Mr Ramachandra Rao in passing the orders he did. Further evidence should have been taken, for there is nothing to show that Abdullah intended or was likely to assault Avoker Kutti, or that Avoker Kutti had ever assaulted or intended to assault Abdullah. It appears to me that, if the Police were justified in anticipating a breach of the peace, it would have been sufficient if Avoker Kutti alone had been called upon to show cause why he should not be bound over.

6 The above instances will, I trust, satisfy the Government

that

---

notices to Avoker Kutti and Abdullah to show cause why they should not be bound over to keep the peace. On the 25th August the cases came on for hearing. In the case (Mis: Case No. 38 of 1894) against Avoker Kutti, Constable No. 656 deposed that on 8th July, hearing that a breach of the peace was likely to take place, he went to Fatima's house and found a large crowd there. Avoker Kutti was also there. He ordered the crowd to disperse and it dispersed. Constable No. 903 deposed that on 30th July he received from Fatima a petition to the effect that Avoker Kutti with 7 others was attempting to break into her house in order to abduct her and obtain possession of her moveables. He went to the spot, saw Avoker Kutti and others standing outside the house and told them not to fight.

This was all the evidence against Avoker Kutti, yet he was bound over to

Keep

5 On the 30th July last Mr. Ramachandra Rao received a report from the Inspector of Police, Ponani Division, asking that certain persons might be bound over to keep the peace. The Inspector's report was to the effect that Mutikakla Fatima, an old woman of 65, living in Veliangode, had entertained one Mullakalu Abdullah as her Kariastan by whose advice she had determined to make over most of her property to him (the said Abdullah). Her Nephew Avoker Kutti who, according to local Custom, would be entitled on her death to half her property, hearing of this, assembled some men and drove Abdullah out of Fatima's house. Abdullah subsequently returned to the house, which so enraged Avoker Kutti that had not the Veliangode Head Constable gone to the spot, there would have been a fight. The Inspector apprehending further disturbances reported the matter to Mr. Ramachandra Rao. On the 31st July Mr. Ramachandra Rao issued

notices

4. Appendix B is a copy of Mr. Ramachandra Rao's judgment in Calendar Case no. 100 of 1894. Now C.P.C section 367 requires that every judgment shall contain the point or points for determination, the decision thereon, and the reasons for the decision: in other words every judgment must be complete in itself. The judgment in Calendar Case no. 100 refers to the judgment in Calendar Case no. 89 of 1894, in which case 5 persons were accused of assaulting a public servant the execution of his duty. In Calendar Case no. 100 only 2 witnesses were examined for the prosecution viz (1) Salt petty officer Narayana Iyer & (2) Salt peon Kesava Menon. In Calendar Case no. 89 these 2 men and 4 others were examined as witnesses and the prosecution evidence was discredited chiefly because the evidence of 4 other men was inconsistent with that of the Salt peons (vide Appendix C, copy of judgment). I do not doubt the correctness of the finding in Calendar Case no. 89; but I submit that Mr. Ramachandra Rao had no business to dispose of case n 100 on the evidence recorded in Case no. 89, ead of on the evidence taken in the case elf.

Confidential

Malabar District Magistrate's Office
Calicut 6th November 1894

No. 13
Confdl '94

From

H. Moberly Esqre
Ag District Magistrate Malabar
Calicut

To

The Chief Secretary to Government
Judicial Department
Madras

CURRENT NO. 5983

Sir,

From the end of July to early in September 1894 Deputy Collector, Mr. R. Ramachandra Rao, was in charge of the Head Assistant Collector's Division. During that period he has evinced such ignorance of the Criminal Law and of the duties of a Sub Divisional Magistrate, that I feel it my duty to lay the following facts before Government, in order that it may decide whether the young gentleman is fit, at present, to be put in independent charge of a Division.

2

1894
Jud
2
C. No. 5983

(Appendix B to Malabar Dist magtes letter 6-11-94)

Magt.—No. 41.

IN THE COURT OF THE Head Assistant MAGISTRATE OF Malabar

PRESENT.— R. Ramachandra Rao – avargal

CALENDAR No. 100 — of 1894

COMPLAINT.

Regina

DEFENDANT~~S~~

Kunjan

Offence and Law – Smuggling arrack from Native Cochin. Section 55 (a) and 58 of act 1 of 1886.

Finding of the Magistrate – Not guilty

Sentence and Order. – Acquitted under Section 245 C. P. C

	DESCRIPTION OF ACCUSED.						DATE OF					
Serial Number.	Name.	Father's Name.	Caste or Race.	Occupation.	Residence.	Age.	Occurrence.	Complaint.	App~~rehension~~earance	Commencement of trial.	Close of trial.	Explanation of delay.
1	2						3					4
100/1894	Kunjan						30 – 5 . 1894	30 – 5 . 1894	In this court. 14 . 8 . 1894	[illegible] . 8 . 1894	25 . 8 . 1894	The adjournment was specially ordered on account of C.C. 89.

Judgment.

This is the abkari case spoken of in the judgment in C.C. 89. I have therein stated the grounds of my not believing in the evidence of the Salt peons. I acquit the accused under Section 245. C.P.C

(Sd) R. Ramachandra Rao
1st class Magistrate

(True copy)

ag. District Magistrate

[Appendix "A" to Malabar District Magte letter d/6/1894]

Ref. on C.C. no 91 of 1894.

Malabar Head Asst Magistrate's off
Palghat. 10th August 1894.

To
The District Magistrate. Malabar
Calicut

Sir,

I have the honor to report the following for your orders:-

2. On the 5th June 1894, a report was received from the Stationary Sub Magistrate. Ponnani that a moplah Kunhi Ahmed had got into the Vatoor Kour Temple and desecrated the altar. Mr Francis left on 6th June but returned the same day as a subsequent report that the moplah was insane was received. The Police submitted an occurrence report and an order was passed on the 10th June 1894 that the case must be regularly proceeded with and that the question of insanity can then be enquired into. The Police charge sheet charging the accused with an offence under Section 295 I.P.C was received on the 23d June 1894.

3. Meanwhile the accused was produced on the 7th June 1894 and remanded until the 11th June 1894 and further remanded to 26th June 1894. The Sub Jail Keeper reported on the 15th June 1894 that the accused was misbehaving in the Jail and there was no accommodation. Mr. Francis ordered the accused to be sent to Calicut

---

one straight-forward answer. It is unnecessary for me to examine the grounds for bringing a false charge; as also the improbabilities of the prosecution story as it stands

5. I disbelieve the prosecution story and find that no case is made out. I discharge the accused under Section 253 C.P.C

25th August 1894. (Sd) R. Ramachandra Rao
1st class Magistrate

(True copy)

Ag District Magistrate

4
[illegible]
1
5983

and were lying in wait near the frontier. They then saw the first 3 accused coming and searched the first accused. A bottle of arrack was found on his person vide CC 100 on the file of this court. The Petty officer handed it over to Sangu and asked the peons to examine the other two accused. The Petty officer asked the first accused to walk up to the post; he beat the officer whereupon the peons seized the 1st accused and proceeded to tie his arms. Then the 3d accused stabbed Sangu from behind and took to his heels. Sangu fell down with the bottle of arrack which however was secured by Kesava Menon. The 4th and 5th accused came running to the spot, and the 2d and 4th accused began belabouring the Petty officer with blows. Then Babji came running and seized the first accused whereupon the Petty officer was free and drew his sword out. The accused except the first took to their heels. A knife alleged to be found on the spot is produced. There is a number of houses near the spot and quite a crowd collected. Only two independent witnesses i.e. witnesses other than abkari officers have been examined to speak to the offence.

2 - The prosecution evidence is bristling with discrepancies. To cite a few of them at random:— (1) The Petty officer says that he recounted all the particulars to Ravuthan on the spot; Ravuthan denies this. (2) Ravuthan says

that

that he stayed at the spot but a few minutes, left with the party, and walking much faster met the party again at his house. The party seated themselves for some time in the verandah of his house. This is denied by the other witnesses (3) Ravuthan says he saw Kuppalan but Kuppalan denies this (4) Kuppalan says he met Babji while returning, but this is directly contradicted by Babji (5) Ravuthan says he went in advance of Babji and left before him Babji speaks just the contrary. (6) Some of the witnesses say Sangu walked assisted by the other witnesses; Sangu says he was carried (7) Witnesses contradict each other as regards details of conversation (8) Kesava Menon speaks to an important bit of confession on the part of the 1st accused which none of the other witnesses testify to.

3. The above are some of the discrepancies. Each of them is so material under the circumstances of the case that I am compelled to discredit the prosecution story in toto; because each of the contradictory statements is vouched for with such an exuberance of detail that it cannot be that the witnesses mistake when they depose.

4. In addition to the above, I must say that the demeanour of one and all the witnesses (except the 7th — the Assistant Surgeon) was very unsatisfactory. They never gave

one

[Appendix "A" to Malabar ~~Dist~~ District Magte Letter d/ 6/8/94]

one straight-forward answer. It is unnecessary for me to examine the grounds for bringing a false charge; as also the improbabilities of the prosecution story as it stands.

5. I disbelieve the prosecution story and find that no case is made out. I discharge the accused under Section 253 C.P.C.

25th August 1894.   (Sd) R. Ramachandra Rao
1st Class Magistrate

(True copy)

Ag District Magistrate

4
Jud
1
TO
5783

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No.

BACK PAPER, No. Con 115 OF 1894

4

FURTHER PAPER, No. ~~Con 25~~ Con 33 of 95 OF 1895

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER, &c., OF GOVERNMENT– A.

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

Spare copies.

Struck .. .. ..
Issued .. .. ..
Total ..
In Stock ..

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 monthly volume.

[Appendix "A" to Malabar ~~Collector~~ District Magte letter d/6/11/94]

Confidential No. 162
1894

Judicial DEPARTMENT.
G.O., DATED 20-11-94
No. 2801
Series. mis

Confidential.

First copy sent to Press.

Returned for signature. 21-11-94

Despatched

[Despatch Abstract.]

Mr. R. Ramachandra Rao: directing the Dt. Magte, Malabar, to call upon — for explanation with regard to the indictment that he is not fit to be in independent charge of the Hd. Asstt's Division

---

GOVT. OF FORT ST. GEORGE.

JUDICIAL (1894) DEPARTMENT.

LETTER to the Right Honorable the Secretary of State for India.

Dated .

No. of 1894.

Forwarding copies of certain papers connecte the case of Mr. M. G. A. Worsop of the M Police.

FROM THE CHIEF SE

Confidl
One Cover address

(Name)

(Name)

(Name)

CURRENT No. 5961

9

1168.

INDIA OFFICE,
LONDON. 18th OCTOBER 1894.

JUDICIAL,
No. 3.

TO HIS EXCELLENCY THE RIGHT HONOURABLE THE GOVERNOR IN COUNCIL FORT ST. GEORGE.

My Lord,

I have considered in Council Your Government's letter of the 27th August last, No. 9, Judicial, in which you intimate your opinion that it is inexpedient to allow Mr. Worsop, one of your District Superintendents of Police to return to duty on the expiration of his leave.

2. In the ordinary course of things Mr. Worsop will appear before the Medical Board attached to this Office at the beginning of next year, and a copy of your letter will be laid before the Board at the same time in order that the case may receive their fullest consideration. If the Board, either then or after allowing Mr. Worsop to try the effect of a further period in an English climate, certify that he is permanently unfitted by his physical condition or habit of body to perform the active duties required from an officer of Police, I shall have no difficulty

---

No 1

Judicial
18th October 1894.

Copy
Letter to Fort St George
No. 3

regard to the Guntakal case, and all other papers which your Excellency may deem material to the question before me, may be submitted for my consideration.

I have, &c.,

(Sd) H. H. Fowler.

1168.

INDIA OFFICE,
LONDON, 16th OCTOBER 1894.

JUDICIAL.
No. 3.

TO HIS EXCELLENCY THE RIGHT HONOURABLE THE GOVERNOR
IN COUNCIL, FORT St. GEORGE.

My Lord,

I have considered in Council Your Government's letter of the 27th August last, No. 9, Judicial, in which you intimate your opinion that it is inexpedient to allow Mr. Worsop, one of your District Superintendents of Police to return to duty on the expiration of his leave.

2. In the ordinary course of things Mr. Worsop will appear before the Medical Board attached to this Office at the beginning of next year, and a copy of your letter will be laid before the Board at the same time in order that the case may receive their fullest consideration. If the Board, either then or after allowing Mr. Worsop to try the effect of a further period in an English Climate, certify that he is

permanently

BACK PAPER, No. Con 105 of 1894

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No.

FURTHER PAPER, No. Case 1085 of 1895
(575
14-3-95

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

Spare copies.

Struck ..

Issued ..

Total .. 11 — 11

In Stock .. 12 — 17

, &c., of GOVERNMENT- A.

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

NUMBER OF COPIES REQUIRED.
appendix ~~Order complete.~~ ~~25~~ 28
Letter only. ~~28~~ 23
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 monthly volume.

1168

G./14

Confidential No. 168
1894

Judicial Department.
G.O., dated 6-12-94
No. 2964
Series. Mro

Confidential.

JU
N

First copy sent to Press. 6—12—94

Returned for signature.

Despatched

[Despatch Abstract.]

Mr. M. G. Worsop, Supdt of Police:
Directing that copies of certain papers re — be forwarded to the Rt. Hon. the Secy of State

For Despatch

Forwarding copies of certain papers connected with the case of Mr. M. G. A. Worsop of the Madras Police

1168.

[G/14]

BACK PAPER, No. Con 43 of 1894
" 107

Districts in which officers have been employed as acting asst. superintendents with period of employment in each.	Remarks

Names	Date of appointment to Police as ordinary Inspector	Date of appointment as Probationer	District to which first posted	District in which doing duty	Examination passed			Date of completing Exp.
					Law	Departmental	Language	

Back Paper, No. Con 43 of 1894

Confidential

Department.

No. 5330

Chief Office of the Inspector General of Police,
Madras, 14th September 1894.

From
Colonel C. A. Porteous,
Inspector General of Police,

To
The Chief Secretary
to Government
Ootacamund.

Sir,

Enclosures one

ar ending ber 15th

I have the honor to submit the usual half-yearly* Confidential report on Probationers and have much pleasure in stating that there has been, among all these officers, decided improvement.

I have the honor to be,
Sir,
Your Most ~~Obdt. Servant~~,
Chas. A. Porteous Colonel,
Inspector General of Police.

1894
Jul Dept
1
5081

CURRENT No 5081

cts in
been
Supere
of emp

Judicial (1894) Department.

From

Col. C. A. Porteous,

Inspector General

of Police

No. 5330

Dated 14th }
Received 15 } September 1894.
Regd 17 }

UNDER SECRETARY ● PUBLIC & J. DEPT ● 15 SEP 94

No. Encl one

Subject.

Submitting usual half-yearly Confidential Report on Probationers.

H.M. & circ

Submitted for perusal. P. J. 6 Ap. 1894, No 825, Ind., has obviously had a great effect.

A S
17 Sept.
19/9/94

Very satisfactory. The officers who were before unfavourably commented on might have a word of commendation.

B S
21/9/94

J G
24/9

Yes — and at same time express a hope that they will continue to deserve it.

W
30 Sep

C. S.

Order: 6th October 1894, No 2438
mis.

The report is very satisfactory & the Govt notes with pleasure the improvement in the work of Messrs Bidie, Mayne, Hannyngton, Pelly & Wilkinson. It is to be hoped that these gentlemen will continue to deserve the approbation of the I.G. & Govt.

A S (Promoders)
5/10/94

Letter I.G. of
No 98
4

Back Papers, No. Con 43 of 1894
" 107

... of Government, dated
No.

Further Paper, No. Con 43/95 of 189

No.

Spare copies.

Struck .. .. ..
Issued .. .. ..

...ement with ditto.

Total ..

In Stock ..

...der, &c., of Government—A.

...apers 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 monthly volume.

[7]

Confidential No. 135
1894

Judicial DEPARTMENT.
G.O., DATED 6-10-94
No. 2438.
Series. Mis.

Confidential.

First copy sent to Press.

Returned for signature.

Despatched

[Despatch Abstract.]

Police Probationers

2456-57

F. 73. DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press / Miscellaneous / Routine No.____, dated 10-10- 193 94

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
14/2/36	~~for orders~~					

C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

[illegible]

Reference only: 20" Augt 189
No. 1
The I. G. of Police is requested to report whether, if in view to effect economy the post of Special Assistant with Govt. were abolished, he could arrange for the performance in his office by the Asst. I. G. of the work now done by that officer.

(From orders in Council)

M
18 Aug

J.D.
20/8/9x

I.G. Police. Desptd
20/8

[illegible]

C.F. 73.

Date taken out.	Departm…	For r…

300—20-2-94.

Departm…

No.

From

Dated 189

FOR ORDERS.

Statement shewing designation of Special Branch

Spec. to letter No. 5216 of 13-9-94.

Provinces	Designations
Madras	Assistant with the Government of Madras.
Bengal	Assistant to the Inspector-General of Police, Special Branch.
Bombay	Superintendent of Police in charge Special Branch.
North West Provinces	Assistant Inspector-General of Police, Special Branch.
Central Provinces	Assistant District Superintendent of Police, Office of the Inspector-General of Police
Punjab	Assistant to the Inspector-General of Police, Special Branch.

J. Meredith

Asstt. Inspr General of

4
Jnl
2

5082

500—9—93.

DEPARTMENT.

No. 532

CHIEF OFFICE OF THE INSPECTOR-GENERAL OF POLICE,
Madras, 13th September 1894.

FROM

Colonel C. A. Porteous,
INSPECTOR-GENERAL OF POLICE,

TO

THE Chief Secretary
to Government,
Ootacamund.

SIR,

Enclosures. one

With reference to Memo No. 1660 (Judicial Department) dated 20th ultimo, calling for a report as to the feasibility of abolishing the post of Special Assistant with Government and arranging for the work of that officer being performed in my office, I have the honor to state that,

2. ——— were the Special Branch Establishment* transferred to my office, the very light duties now entailed on the Assistant with Government might be supervised by the Assistant Inspector General; but should my proposal to make my office the central bureau of the Anthropometrical Department be sanctioned, I

* Consisting of
1 Compt. clerk on Rs 100
12th Gde. Hd. Cons. as Registrar of Criminal gangs

2454
9-10-94

Cf. Letter No. 4334 dated 26th July 1894

I do not think that the Assistant
Inspector General would have to
superintend both these Special
Branches, in addition to his presen
heavy duties.

3.—— Under these circumstances and
in view to a probable dissent by the
Government of India to the abolitio
of the Special Branch officer, I woul
submit an alternative measure
that is – the changing of the designatio
of this officer "Assistant with Govern-
ment, Special Branch" to "Superinten
-ent of Police in charge of Special
Branch" and placing him under
the immediate control of the
Inspector General of Police.
Were such a change made the
present unoccupied time of the
Special Branch officer might be
utilized with great advantage to
this Department.

4.—— Special Branch officers in all
Provinces save Madras are attach-
-ed to the Inspector General of Police
and their services are utilized for
much work other than that pertaining
to

to the Special Branch.

5.—— The office of Assistant Inspector
General of Police requires special
qualifications difficult to secure
among the few officers eligible for
such a post, the training, therefore
which the Special Branch officer
would receive in my office would
point him out to be the officer best
qualified to succeed to the post of
Assistant Inspector General.

6.—— Of late years work in my office
has largely increased and no in-
-considerable portion of the augmen
-tion of the Assistant Inspector-
General's work is due to the Railway
extensions throughout the Presidency
entailing the detailed audit of an
enormous number (8000 p.m.) of
Railway warrants – and the checkin
of many travelling bills &ca.
In other Departments too the wor
of this officer has much increase
much of his time is in consequen
occupied by matters of mere routin
of many of which were he relieve
by the Special Branch officer, h
would be in a position to assist

the Inspector General in the very onerous work devolving on him to a much greater extent than he can now do.

I have the honor to be,
Sir,
Your most obedt. Servt.,

Chas. A. Forteus Colonel,
Inspector General of Police

Judicial (1894) DEPARTMENT.

CURRENT No 5082

FROM

Col. C. A. Porteous
INSPECTOR-GENERAL
OF POLICE.

No. 5326

Dated 13 } September 1894.
Received 15 }
Regd 17

No. Encl one

SUBJECT.

Submitting report as to the feasibility of abolishing the post of Special Assistant with Government and arranging for the work of that officer being performed in this Office.

UNDER SECRETARY 15 SE 94 PUBLIC DEPT.

US

This may perhaps await I.G.'s reply to Refce $\frac{1632}{15\text{-}8\text{-}94}$?

Judl. DEPA 189

500—20-6-94.

No. 5082

From I. G. Police

Dated 13 Sept. 1894

FOR ORDERS.

Apparently final orders must be deferred until the future arrangements for the working of the Bertillon system are settled. This is a matter which is now under reference to the I.G. of Police.

2. In connection with the question of retaining the Special Asst. as an attac to the I.G.'s office, attention is invited to para. 5 of the G. of I.'s letter read in G.O. dy 14 Jan. 1893, No. 79, Judl. It has throughout been the intention that the Special Asst. should help the I.G. & work under his orders when employed on purely police duties. This intention has not been carried out in Madras as far as it might have been & it is difficult to see how it is to be done now, if the G. of I. insists on the strict observance of the rule that the Special Asst. should "always be with the Secretary either at the "head quarters of Govt. or "in camp."

I don't see any reason to delay the disposal of this question until arrangements are made for the working of the Bertillon system. In any case it will be an advantage to strengthen the Hd. office of the I.G. of Police, in which work must have greatly increased of late years, and to give the Sp: Branch officer enough work fully to occupy his time. At present, I imagine, he has so little to do that, instead of being in training for higher office, he is being taught to "loaf." I approve, therefore, the proposals of the I.G., but before we can carry them out I think we must make a refce to India, whose instructions regarding the attaching of the Sp. Br. Office to the Secretariat are distinct. It should be pointed out that, however right they may be as to the advantages of this plan in other provinces, here we have so little secret political work that, for our purposes, the other plan would be the best, as offering a greater opening for the development of the more purely Police part of the work of the Sp: Branch.

HB 21/9/94

IG 24/9

W 30 Sep

Judi ~~mem~~ Para. 10 of the Memo. led in G.O. dy 14 Nov. 1887, 856, Pol., shows that e original intention was to attach the Special Asst. to e I.G's office & not to the Secy. & to style him "Asst. the I.G. of Police, Special Branch," but the Govt. seems have gathered from an terview with Col. Henderson Mr. McCracken that the new appt. was to be attached to the Secy. (vide para 4 of Judl. letter dy 26 Jan 88, No. 211) & this plan was accordingly dopted.

e more recent instructions read in G.O. dy 14 Jan 1893, No. 79, Judl., contemplate, as observed above, the attachment of the Special Asst. to the Secy., but these instructions are probably not intended to be observed as rules which may not be departed from & it seems unnecessary to ask the confirmation of the G. of I. to an arrangement (if such be decided upon by Govt.) whereby the Special Asst. would be attached to the I.G's office & detained in Madras throughout the year.

17 Sept.

19/9/94

Special Assistant Office

H.M.A.

(For orders)

C 20/9
R 20/a P 6/10

Judl. DEPARTMENT.

189

[5]
—20-6-94.

Papers to be read in Proceedings:—

Again G.O., dated 18 , No.

Again G.O., dated 18 , No.

Current No. 5082 of 1894, dated 13 Sept. from I.G. Police.

Current No. of 18 , dated

~~Order~~ from 10th October 1894, No. ~~47~~ 24
~~Minute~~ The Govt. concurs with the I.G. The G. of I. will be addressed on the subject.

(For orders)

To the I.G. of Police (280)

6 Oct.

Despd. 12/10

~~Letter~~ No. ~~478~~ 2459. Pl. 9/10/94

To the Sec. to the G. of I., Home Dep

Sir,

I am directed to invite your attention to Mr. Galton's letter dy 14 Jan. 1893, No. 80, Judl., wherein this Govt. intimated its approval of certain proposals of the G. of I. regarding the future working of the Special Branch.

2. In the revised instructions promulgated on that occasion occurs a provision to the effect that the Assistant, Special Branch, shall work in immediate subordination to the Chief Secy. to Govt. & to the I.G. of Police but that it is essential that he should always be with the Secretary either at the head-quarters of the Govt. or in camp.

3. The original instructions

Jud ~~[illegible]~~

ted '87 seem to have templated the attachment of the Special Asst. to the office of the I.G. of Police & it has throughout been the intention that the Special Assistant's services should be at the disposal of the I.G. of Police whenever required by that officer. But in this Presidency, a reference to para. 4 of Stokes' letter of 26 Jan. 1888, No. 211, Jud^l., will show, Special Asst. has from first been attached the Secretariat &, in consequence of the absence Govt. from Madras for six months in the year, his connection with the I.G.'s office has been of the slightest description.

The work of the Special Asst. in this Presidency is trifling in amount & a large portion of his time is unoccupied, to the detriment of himself & the Public Service. ~~H.E.~~ the G. in C. has accordingly had under consideration the question of making more use of the Special Assistant's ~~his~~ services than is at present possible & has consulted the I.G. of Police on the subject.

6. The I.G. proposes that the designation of the officer in question should be changed to "Supt. of Police in charge "the Special Branch" & he should be placed the immediate control the I.G. Col. Porteous observes that Special Branch officers in all other Provinces are at the I.G. of Police & perform many duties which do not pertain strictly to the Special Branch. The work of the I.G.'s office is grow & the I.G. & his Assist are both in need of relief & will be still so in future, as it has been decided to transf all duties connected w the measurement of criminals from the offic of the I.G. of Prisons t that of the I.G. of Police. Col. Porteous is therefore of opin ~~[illegible]~~ that the Special Assistant should occupy his spare time in helping the Asst. I.G. who would then be in a position to afford more assistance to the I.G. in important matters than is at presen possible.

7. The Madras Govt. concurs with the I.G., but it will be impossible to give effect to his proposals if the G. of I. insists ~~upon the invariable~~ upon observance of the rule that the Special A