

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 450-451.

DATED 1st Mar: 1895.

INDEXED.

[Despatch Abstract.]

RETURN OF PERSONS BROUGHT TO TRIAL ON CAPITAL CHARGES.

Requesting the High Court to expedite the examination of ^ess-
sion records in connection with the --and the submission of
the requisite information relating to the year, subsequent to
1887 without awaiting the result of the examination of Ses-
sion records, and addressing the Government of India on the
subject.

Amcl

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	326.		14-2-95.				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
80	662 (12)		29-3-95				

[$\frac{G}{9}$]
2,000-23-1-95.

Current No. 851

Ind DEPARTMENT.

Telegram
From

Govt. of India

Home Dept.

No.

Dated 20. 2. 95

Received 21. 2. 95

Enclosures

SUBJECT.

Signd. reply, by wire, to
their telegram re, the
return of persons brought
to trial on capital charges

851

11484

Code Class. } *LS* INDIAN  TELEGRAPHS. Monthly Number. }

To (Office) *Madras* From (Office) *Baleutta*

Words *3/10* Day *20* Hour *16* Minute *25* Official Instructions *ddd*

To (Person) *Madras* From (Person) *Home*

CHIEF SECRETARY
21. FEB. 1895
GOVERNMENT OF MADRAS

number *207* judicial my
telegram number *187* dated
19th instant return
of persons brought to
trial on capital charges
please wire reply as
matter urgent

64 Word Form.

VE
Telephone
Court asking when
reps mentioned in
Mr. Foster Mr. Peltan
may be referred to
21.2.95

Recd. from L.N. Sent to L.N.
At Hrs. Mts. by At Hrs. Mts. by
MADRAS 20-2-95 Telegraph Master.

G. G. P. - No. - TWT - 17 8-98- 20.00.000.

P.C.2.

10/2-10/21/2

Code
Units

INDIAN TELEGRAPHS. Monthly Number.

To
(Office)

Telephone message

From
(Office)

Words

Day
21

Hour
13

Minute
58

Official
Instructions

To
(Person)

Chief Secretariat

From
(Person)

Registrar High Court -
App: Side

A written reply will be sent in quarter
of an hour.

64 Word Form.

21-2-95

bl
2/2

F.C.2

Sent by
James
2/2

Recd. from

L.N.

Sent to

L.N.

At

Hrs.

Mts. by

At

Hrs.

Mts. by

Telegraph Master.

G. G. P. - No. 331 T - 29-9-93 - 22 00,000.

Supper

President
2/2

Handwritten notes in Telugu script, likely a reply or administrative record.

MADRAS 20-2-95

TELEGRAPH

FROM

TO

Handwritten notes in left margin:
no of letter
G. L. ...
...

862

Judicial {1895.} Department.

No.

FROM

The Registrar of the High Court
of Judicature, Appellate Side,
Madras.

CT 851.
20419-19-2-95-*Lodged*.
326-14-2-95
225-20-2-95
1155-56-16-5-94
872-11-4-94

Dated 21st February } 1895.
Received 2/ }

No. 499
Enc . . .

Stating that the information
required by Mr. Baine's address, as
amended, cannot be ascertained
for the whole ten years without
a reference to Sessions Courts and
that in the High Court information
from 1887 can be supplied in
a fortnight and requesting to be
informed if the Government
considers that this will be
sufficient.

VE
Desp^d (C) 21/2

The following telegram will be
despatched to the Gov^t of India.

Telegram No. 79 x 4mr telegram no. 267 judicial
Complete Dated 21st Feb. to encl^d. High
Court reports complete information cannot be
obtained without reference to Sessions Courts
involving delay of several months. Information
from 1887 available within three weeks. Please
wire if that will suffice.

21-2-95

Despatched ordinary telegram & show
Ct. known 2
21

VE

References at

me

Sub^d 21/2-95

21-2-95

Faint printed text at the bottom of the right page, likely a footer or official notice.

No. 499. 862

High Court of Judicature,
Madras, 21st February 1875.

From

H. W. Foster Esquire,

Registrar of the High Court of Judicature,
Appellate Side, Madras.

To

The Honorable J. F. Price, Esq.,
Chief Secretary to Government,
Fort Saint George.

Honorable Sir,

With reference to G. O. dated
14th instant, No. 326, Judicial, I am
directed to state that the information
required by Mr. Cairnes's address, as
amended, cannot be ascertained for the
whole ten years (1883 to 1892) without a
reference to sessions courts and a
detailed examination of original
records of trials and this, with the
limited establishments of sessions courts,
will take several months.

2.

The difficulty arises in respect
of the particulars to be specified under
heads

Every letter, whether printed or in manuscript, should be docketed and abstracted on the back; and the abstract should state clearly the purport of the letter and not merely its title subject.

Enclosures and statements also, whether sent with letters, or merely under cover, should be numbered, docketed and abstracted. The headings of statements should be written in full to prevent mistakes, (G. O., 8th April 1893, No. 239, Public.)

heads 1 and 3 of the address. The Statistical returns (and consequently the Administration Reports) show together all "offences affecting life" and do not distinguish cases of murder, for which capital sentences can be passed, from cases of culpable homicide and other such offences. The distinction appears in the information tabulated by Sessions Judges in the monthly sessions statements they render to the High Court, but these statements are not available for the whole period to which the address relates as, under the rules for destruction of records, they are not preserved beyond 3 years. The result is that there is no source of information for the whole period except the original records of Sessions Courts.

3. I am to say, however, that, in the High Court, it happens that the Sessions statements received from Mofussil Sessions Courts have not been destroyed for any years subsequent to 1887, and information from this date onwards under

under heads 1 and 3, with complete information under heads 2 and 4, can be supplied in ten days or a fortnight. I am to request that the High Court may be informed if the Government considers that this will be sufficient or if Sessions Judges should be directed to have an examination made of their records.

I have the honor to be,
Honorable Sir,
Your most obedient servant,

Ch. Esli

Registrar.

[$\frac{G}{9}$]
2,000-23-1-95.

Current No. 993

Judicial DEPARTMENT.
Telegram

From

Govt of India
Home

VE

No.

Dated 28. 2. 95

Received 28. 2. 95

Enclosures —

SUBJECT.

Re/ Return of Capital
Charges.

Tel no. 862
CN 857.
20.119 (Lodged)
326: 14. 2. 95
225: 2. 2. 95
1155-56: 16. 5. 94
872: 11. 4. 94.

Current 15798

Code
Class.

XV

INDIAN



TELEGRAPHS.

Monthly
Number.

To
(Office)

Madras

From
(Office)

Calcutta

Words. Day. Hour. Minute.

To
(Person)

Madras

Official
Instruction

SECRET

28 From 5

(Person)

Home

Number 3/4 Judicial your
telegram number 49 of
21st instant return
Capital Charges in other
provinces information being
collected ~~also~~ much more quickly
please address high court
with permission of his excellency
in Council in view
of expediting matter as
far as possible information
required from 1883 to
1892 and might
it is suggested be
collected by telegram government
of India desired

Recd. from

L.N.

Sent to

L.N.

At

Hrs.

Mts. by

At

Hrs.

Mts.

MADRAS

Telegraph Master.

28-2-95

12158

INDIAN TELEGRAPHS

From

SECRETARY
GENERAL
OFFICE
OF
INDIAN
TELEGRAPHS

Code
Class.

INDIAN



TELEGRAPHS.

Month
Number.

To

(Office)

From

(Office)

Words.

Day.

Hour.

Minute.

Official
Instructions.

To

(Person)

2 page

From

(Person)

whole return should reach
this office by end
march at latest please
wire when it may
be expected.

64 Word Form.

F.C.2.

Recd. from

L.N.

Sent to

At

Hrs.

Mins. by

At

Hrs.

Mins. by

MADRAS

28-2-95

Telegraph Master.

From

No. 86² of 21st inst. from the
High Court.
Telegram on the reverse thereof
and C. 993 of 28th inst. being reply
thereto from Govt of India
Dated 189 .

FOR ORDERS.

Current 862 clearly states the reasons
which prevent the High Court from supplying
the information more rapidly. For the years
1888 to 1892 the requisite records are
available in the High Court, but for 1883 to
1887 inclusive a reference to Sessions
Courts is necessary; this will
involve a search in the records of five
years, which without extra establishment
must take a considerable ^{time}. It is submitted
that it is undesirable to entertain extra
establishments merely to gratify Mr.
Caine's curiosity, & that the extra expense
involved by telegraphing freely as proposed
by the Govt of India is not only unjustifiable
on the same ground but also because it
would not produce the effect of accelerating
the submission of the return in the prescribed
time, unless the High Court is mistaken
in its remark that the necessary exam-
ination of Sessions records "will take
"several months".

V. E.
Send up the papers
at once.
1892

FOR ORDERS.

No.

From

Dated

189 .

FOR ORDERS.

asked for by Mr. Cairns cannot be completed without considerable delay.
2. I am to say that your telegram has been communicated to the Hon. the Judge, & that they have been requested to cause the necessary examination of Session Court Records to be made with as much expedition as possible and to furnish the Govt. with information relating to the years 1888 to 1892 inclusive without awaiting the result of that examination. Should it be found impossible to gather the requisite particulars from Session Court records before the 20th March, a return relating to the years subsequent to 1889 will be forwarded to you, complete information being subsequently furnished with as little delay as practicable.

Theo. &c

The Secy with ref. of C. 862
28/2/95

As however the Govt. of India wants

2. The Govt. of India which was asked to wire a reply to our telegram of the 21st has delayed some days before replying; & an answer has now to be made to the High Court letter (C. 862). The following is suggested

Order 100 March 1895 No. 450

The Hon. the Judge of the High Court will be furnished with copies of Govt. Telegram No. 79 of 21.2.95 & the telegram received from the Govt. of India in reply thereto. They will be requested to cause the necessary examination of Session records to be made with as much expedition as is practicable, and to furnish Govt. with the requisite information relating to the years subsequent to 1887 without awaiting the result of the examination of Session records.

28/2/95

as soon as possible
to report on the progress when
it is likely to be completed

The Govt. of India will be informed that information relating to those years will probably be ready in twenty days time and that complete information will be furnished as soon as possible.

The Hon. the Chief Justice
14/4/95 with C.L.

11/3/95

11/3/95

28/2/95

Letter to the Govt. of India Secy Home Dep't. Govt. with copy of C. 862/95-1/3/95

Sir

With reference to your telegram dated 28th inst. I am directed to forward a copy of the High Court letter stating the reasons why the preparation of the return

a telegraphic reply, it might be as well to send the following telegram.

Despatched 1/3
Telegram to "Home"

101x/one telegram number 314

dated twenty eighth communicated to High Court. ^{with request to expedite matters as much as possible} letter follows.

2
28-2-95 ^{LD}
28/2/95

H. M.

For order.

FOR ORDERS.

Mr. Cairns return ²²

Capital purchase

V.E.

When given for copying _____
When copied _____
When examined _____
When signed _____ } 189.

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied
P = Copy abstract only.
Q = Copy heading only

C. 28/2
R. 13