

MADRAS RECORD OFFICE.

Government of Madras.

Public DEPARTMENT.

G.O. No.

943

Press
Mis.

Dated

5.8.1901

Not to be folded or roughly handled

No. 36. Read the following letter from the Acting Magistrate of the Godavery District, to the Chief Secretary to Government, Fort Saint George; dated Cocanada, 21st July 1868, No. 233.

The Superintendent of Police of this District has lately addressed me on the subject of houseless paupers and travellers.

2. He says that the Medical Officer in charge of the Civil Dispensary has remonstrated with him regarding the practice of the Police in bringing to the Civil Dispensary houseless paupers and travellers, who are found in a worn-out and helpless condition, lying about the streets of the town and the public roads; that at this time of the year, especially when large numbers of pilgrims pass to and from Juggernath, &c., the Police find many persons lying by the road-sides unable to take care of themselves, and, perhaps, at the point of death from want of nourishment or from extreme debility, the result of exposure combined with want.

3. He says that in most of these cases, in the opinion of the Doctor, proper food and nursing are required, not medical treatment—food too of a more expensive kind than is needed by paupers under ordinary medical treatment, but that for such cases no adequate provision can be made from the limited funds of the local Dispensary.

4. He requested me to issue orders on the subject of the disposal of such worn-out wanderers who may be found by the Police without friends or funds; he says that Rajahmundry, from its situation, probably receives more of these classes than other places on the road.

5. This subject has, I imagine, been brought to the notice of the Government before this. I am not aware, however, that any definite orders have been passed with regard to it.

6. Some stations have local Poor Funds; some have not; but in no way have wretched pauper travellers any claim upon these local funds.

7. I have the honor to submit a proposition that, after due inquiry into the circumstances of each particular case, those travellers found entirely without funds may be treated and dieted in the Dispensary during their temporary stay, at the cost of Government.

No. 37. ORDER THEREON, 5th August 1868, No. 943.

The Government approve of the proposal made by the Acting Magistrate of the Godavery District, that pauper travellers found in a helpless condition from fatigue and exposure should be relieved at the Civil Dispensary. The charges incurred for the relief of these persons will not be borne by the Dispensary, but will be entered by the Acting Magistrate in contingent bills, which will be submitted for the sanction of Government.

(True Extract).

R. S. ELLIS,
Chief Secretary.

To the Acting Magistrate of the Godavery District.

„ Accountant General.
„ Inspector General, Indian Medical Department.
„ Magistrate of

Exd. J. Tulloch.

Roads; that at this time of the

*Proceedings of the Madras Government, Judicial Department,
28th October 1868.*

No. 201. Read the following letter from the Acting Magistrate of the Madras District, to the Chief Secretary to Government, Fort Saint George; dated Sydapet, 16th October 1868, No. 196.

I have the honor to request the orders of Government on the proper course to be pursued by the Police and Magistracy in the case of lost children, sick and helpless travellers, and others similarly situated.

2. From the accompanying correspondence, the Government will perceive that a case recently occurred at Streepermatoor, in this District, in which two children, who had been apparently deserted by their parents, were found wandering in search of them by the Police.

3. The Police brought them before the nearest Sub-Magistrate, and asked him to provide batta to feed the children until they could be conveyed to the place from whence they had strayed.

4. The Sub-Magistrate refused, on the ground that they were not prisoners, and that he was, therefore, unauthorized to provide them with subsistence.

5. The order quoted by Mr. Crole, in paragraph 2 of his letter, refers to the children of prisoners, and provides for their maintenance at the expense of the State during the incarceration of their parents, but there is no order in existence that I am aware of which authorizes Magistrates to provide subsistence for other helpless individuals. Cases, however, constantly occur in which Magistrates are called on, in the interests of humanity, to take measures for the protection of homeless children and other helpless persons, and it would appear proper that they should be authorized, under certain restrictions, to do so, at their discretion, at the cost of the State.

From C. S. CROLE, Esq., Acting Joint Magistrate, to the Acting Magistrate, Madras District; dated Chingleput, 12th October 1868, No. 76.

I have the honor to enclose a letter, &c., in original, from the Superintendent of Police, and to inform you that I hesitate to issue orders in the matter until I am favored with your opinion on the subject. The matter, being one affecting the Magistracy in its executive capacity, appears to call for orders from the District Magistrate as the Chief Executive Officer of the District, rather than the one proper to be disposed of by me.

2. It appears to me that, after due inquiry, a Magistrate ought, in the exercise of his discretion, to provide subsistence to human beings whose lives would be endangered were he to withhold such aid. The amount should, of course, be entered in his contingent bill. A case similar to this is provided for in Order of Government, No. 1191, dated 3rd August 1866, under the spirit of which it has been the practice in the sub-division for Magistrates to take charge of orphans and homeless children until they can be provided for, either by restoring them to their friends, making them over to persons willing to adopt them, procuring their admission to orphanages, or, failing these, boarding them out at the public expense.

From the Superintendent of Police, Madras District, to the Joint Magistrate, Chingleput; dated ———— No. 492.

I have the honor to enclose an extract from the Diary of the Inspector of Streepermatoor for your information. I conceive that, in places where there is not a Civil Dispensary, it rests with the Magistrates to give directions as to the disposal of lost children, infirm travellers without friends, &c., and to furnish subsistence for them. The Police have no funds for this purpose.

*Proceedings of the
Madras Government
Dated 5th Aug 1868.*

Heard.

Streepermatoor

Proceedings of the Madras Government, Judicial Department,

28th October 1868.

Extract from Inspector's Diary of Streepermatoor Division for 30th September 1868.

The Taliary of Venketruna Pillay's Chuttrum brought up two little boys, named Terooven-gadam and Chinnasawmy, the former about ten years old, and the latter eight years old, stating that they were found crying at the cart-stand without any of their friends. On inquiry, the children state that they lived with their parents in Cunchi; but, as they quarrelled and left the house without leaving them any food, they came out, therefore, in search of them. I sent them before the Sub-Magistrate at once, in order that they may be furnished with batta and sent before the Sub-Magistrate of Cunchi, to be restored to their parents; but the Sub-Magistrate of Streepermatoor refused either to give them batta or to write to the Sub-Magistrate of Cunchi, remarking that they were not prisoners, and, consequently, not entitled to batta, but that the Police should look after them, and take them before the Cunchi Inspector, for the purpose of being restored to their parents.

No. 202. ORDER THEREON, 28th October 1868, No. 1646.

In the foregoing letter, the Collector of Madras requests the orders of Government as to the proper course to be pursued by the Police and Magistracy in the case of lost children, sick and helpless travellers, and others similarly situated.

2. As regards lost or orphan children in a destitute condition found by the Police or other persons, the Government direct that these children be brought to the nearest Magistrate, who will, after due inquiry, and upon it being ascertained that the parents of such children are dead, or have disappeared, place them in the care of some respectable person, paying for their support, and charging the amount in their contingent bill, which will be submitted for the sanction of Government.

3. It will be the duty of the Magistrate in such cases to inquire whether there are any charitable persons or orphanages willing to take charge of such children, in which case they will be made over to them.

4. In the Order of Government, No. 943, dated 5th August 1868, instructions were given to the Magistrates regarding relieving pauper travellers found in a helpless condition from fatigue or exposure.

5. It was directed that such persons should be relieved at the Civil Dispensary, the charges for their relief being entered in contingent bills to be submitted for the sanction of Government. Where there is no Dispensary, the Magistrates will make such arrangements for the temporary relief of helpless travellers and others, as may appear to them necessary under the circumstances of each case.

(True Extract).

R. S. ELLIS,
Chief Secretary.

To the Magistrate of

- „ Commissioner, Neilgherry Hills.
- „ Accountant General.
- „ Inspector General of Police.

Exd. J. H. Burns,

road; that at this time of the

233
Yedouin District
Magistrate's Office,
Quebec 21st July 1868.

From
J. H. Maste & Esq. &
To
J. H. Maste & Esq. &
The Honorable R. S. Ellis & Co.
Chief Secretary to Government
Fort St. George.

Sir,
The Superintendent of Police
of this District has lately addressed
me on the subject of houseless
paupers and travellers.

2. He says that the Medical
Officer in charge of the Civil Dispensary
has remonstrated with
him regarding the practice of
the Police in bringing to the
Civil dispensary houseless
paupers and travellers who
are found in a worn out and
helpless condition, lying about
the streets of the town and the Public
roads; that at the time of the

Cont. of 113581 *Adams*.

JUDICIAL.

To

THE MAGISTRATE OF

&c., &c., &c.

Dated October, 28th.

Recd.

And.

G. O., 28th October 1868, No. 1646.

No. 2038 of 110

OCTOBER.

Nos. 201-202.

4/5/71

Passing orders as to the proper course to be pursued by the Police and Magistracy in the case of lost children, sick and helpless travellers, and others similarly situated.

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Juggernath etc, the Police find
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combined with want.

3. He says that in most of these
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medical treatment, but that
for such cases no adequate
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4. He mentions the necessity

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7. I have the honor to submit
a proposition that, after due

enquiry into the circumstances
of each particular case,
those travellers found entirely
without funds may be treated
and lodged in the Dispensary
during their temporary
stay at the cost of Government.

I have the honor to be,

Sir,

Your Most Obedient Servant.

W. Master

Ag. Magistrate.

Ed. P. Smith
Asst. Magistrate

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the

Acting Magistrate Godavery District.
(Here enter 21st July 1868 No 233)

Order thereon 5 August 1868 No 943.

The Govt
approve of the proposal
made by the Acting
Collector of the Godavery
District, that pauper
travellers found in a
helpless condition from
fatigue and exposure
should be relieved at
the Civil dispensary.
The charges incurred
for the relief of these
persons, will ^{not} be borne
by the dispensary, but
will be entered by
the acting Magt in
Contingent Bills, which
will

by

Approved by
1868 S. 10/16/1868
The Acting Magistrate
Godavery District
No 233
Dated 21st July 1868
Recd 27th July 1868
No 1343. In case
of pauper travellers
who are found outside
the limits of the
dispensary, at the
expense of the
Government.

will be submitted for
the sanction of Govt.

A. A. Magistrate of the Godavari District, ~~by~~
Accountant General,
with General Andrew Medical Department
• All Magistrates ~~by~~ ~~by~~

~~by~~

July 1868. Department

No. 443.

PROCEEDINGS OF GOVERNMENT.

Dated 5th of August 1868.

14th 1873.

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3. 1. 1. 18

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MADRAS RECORD OFFICE.

Government Records.

Public Department.

G. O. (Printed).

Dated 5-8- 1868.

No. 943

36-37.