m-1

Revenue Department.

Minutes of Consultations

16th June 1857

Back Numbers 33-34

Order No. 586 dated 12th June 1857

10 sheets

பாதுகாப்புப் பிரிவு-1

செப்பனிடுபவர் பெயர் : இ. மோகனாதன்

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் : 7/06

செப்பனிட்டு முடித்த நாள் : 11/06.

சரிபார்க்கும் முதல் மு. நி. பா. எ. கையொப்பம்

சரிபார்க்கும் 2-ம்-மு. நி. பா. ர். கையொப்பம்

ஆராய்ச்சி உதவியாளர் கையொப்பம்

Fort Saint George, Revenue Consultation of 16th June 1857.

Read again Extract from the Proceedings of the Board of Revenue dated 2d April and recorded in Diary to Consultation 12th May 1857, No. 423.

No. 33. Read also the following letter from CLEMENT DALE, Esq., Government Pleader Sudr Udalut to HENRY FORBES, Esq., Acting Secretary to Government, dated Madras 13th May 1857, No. 50.

Sir,

Para. 1. I have the honor to acknowledge receipt of the Extract from Minutes of Consultation noted in the margin, and in reply to submit to the Right Honorable the Governor in Council as my opinion that the Joint Magistrate of St. Thomas' Mount is not authorized to deal with offences created by Act. XIX. of 1852.

M. C. 6th May 1857, No. 423, Rev. Dept.

2. I return the enclosures which accompanied.

No. 34. Order thereon, No. 586; dated 12th June 1857.

1. With their Proceedings of the 2d April 1857, No. 1027, the Board of Revenue submitted forms of Abkarry license to be used in the Cantonment of St. Thomas' Mount, and explained the several points connected therewith in which the Collector of Madras and the Superintendent of Police of the Mount do not agree. They suggested therefore that, if the law would allow it, the Superintendent of Police might be vested with power to investigate and punish infractions of Abkarry rules under Act XIX. of 1852, otherwise, recommending that the management of the Abkarry of the Mount be entirely vested in the Collector of Madras, striking out from the license all conditions unconnected with fiscal matters, and leaving it to the Superintendent of Police, in that capacity and as Joint Magistrate, to deal with all offences against the discipline and good order of the cantonment.

Ex. Min. Con. dated 6th May 1857, No. 423.

2. The Government having referred the Board's Proceedings to the Government Pleader for his opinion, as to the power of the Joint Magistrate of the Mount to deal with offences in the Abkarry Department under Act XIX. of 1852, Mr. Dale, in his communication above recorded, states that the Joint Magistrate has no jurisdiction under the enactment quoted.

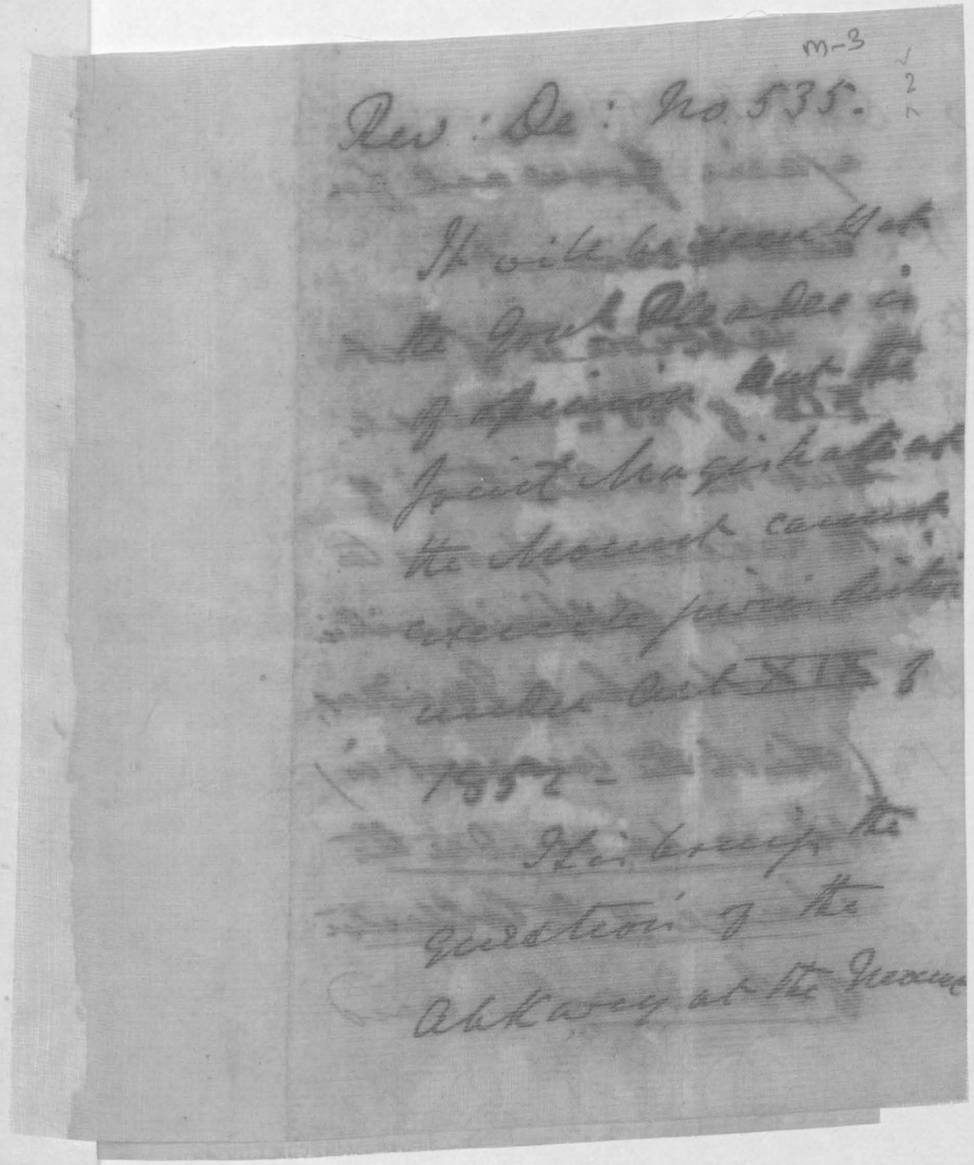
3. Resolved therefore that, as already ordered in para. 2 of Minutes Consultation of 28th November 1856, No. 1262, the Abkarry of the Mount Cantonment, as well as within a circuit four miles round it, be retained under the charge of the Collector of Madras. The Collector will however, as suggested by the Board, exclude from the licenses he may give all conditions unconnected with fiscal matters, leaving it entirely to the Military Police Authorities to preserve discipline and good order according to the existing law.

4. The Board will settle the form of license as at present ordered, in communication with he Collector, and submit it to Government at an early date.

(Signed) H. FORBES,
Acting Secretary to Government.

m-3

Rev: Da: No 535.



M-4

Divorced decree to
prevent the Sale
contrary to the Act.
Every heirship given
over to the Heirship
as the case may be.
-Ch.

The plan prepared
by the Board in case
2b of Rei proceedings
of the 2nd of April
appear before the

M-5

No. 50

From Clement Dale Esquire Government Pleader Sudr Udalut

Henry Forbes Esquire Acting Secretary to Government

Madras 13th May 1857

Sir,

Para 1. I have the honor to acknowledge receipt of the Extract from Minute of Consultation noted in the Margin and in reply to submit to the Right Honorable the Governor in Council as my opinion that the joint Magistrate of St. Thomas' Mount is not authorized to deal with offences created by Act XIX of 1852

2. I return the Enclosures which accompanied

2d

I have the honor to be,
Sir,
Your most Obedient Servant.

Wd. Dale

Govt. Pleader

Le the last Bail case be added

Let the other Alternative - but I must urge that the Contract of the Bail Bond to the Bail Court should be taken but of the hands of the Military Authorities -

m-b

Revenue Dept

No 586

Extract from the Minutes of Consultation

Under date the 12th June 1857.

Read again Extract

from the Pro: of the Board

of Revenue dated 2d April

and recorded in Diary

to Consultation 12th May 857

No 428. Read also the

following letter from

the Government Pleader

Here enter 13th May 1857 No 330

With their

Proceedings of the 2nd

April 1857, No 1027 the

Board of Revenue sub-

-mitted forms of Abkary

license

Revenue Dept

Pro: 12th May 1857 No 428

Revenue Side

From the Government Pleader, under Collector's Letter 12th May 1857

No 330

To the Secretary to Board of Revenue

Sir

I have the honor to return herewith the Petition of Abkary license No 586. 12 A Cube

Cubsim Thing Kolpathan in behalf of Mr. Fair & Co. Mr. Fair having left the Presidency on the 15th ultimo and Mr. Thomas Fair having left India on the 1st Instant, I have authorized Mr. Thomas to deal with the Application & dont see any objection to grant the license

1857

(Henry C. Lane) Ag Govt Pleader

licence to be issued in the
Cantonment of St Thos
Mount, and explained
the several points con-
-nected therewith with
which the Collector of
Madras and the Superin-
-tendent of Police of the
Mount do not agree.
They suggested there
that if the law would
allow it the Superintendent
of Police might be vested
with power to investi-
-gate and punish
infractions of Abkary
rules under Act XIX of
1852, otherwise recom-
-mending that the man-
-agement of the Abkary
of the Mount be en-
-tirely vested in the
Collector

Ex Mins Cont dated 6th May
1857 No 423.

Collector of Madras,
striking out from the
licence all conditions
connected with
fiscal matters and
leaving it to the
Superintendent of
Police, in that capa-
city and as Joint
Magistrate, to deal
with all offences
against the discip-
-pline and good
order of the Canton-
-ment.

The Govt
having referred the
Board's Proceedings to
the Government Madras
for their opinion as to
the

miles round it, be
retained under the
charge of the Collector
of Madras. The
Collector will recover
as suggested by the
Board, preclude from
the licence, all consi-
derations unconnected
with fiscal matters,
leaving it entirely
to the Military
Authorities to preserve
discipline and good
order according to
the existing laws.

4. The Board
will settle the form
of licence or act
prevent ordered,
in communication
with

the Collector, and
rich it to Govern-
ment as early

[illegible]

[illegible] Copies to the Lt Gov.
Dist. 13

3 [illegible] Copies
Dist. 13

C 12th May 57 No 3-4

Revenue 1857 Sept.
Fr to Govt 16th June.

No 586.

Extract Minute of Council.

Dy 12th June, 1857.

Ex B. of R 8th July 57 C No 764
in 62 pp.
Corr - do - 24th July 57 R No 872
in Bund. 11 Aug
Fr Mr. C. 5th Dec 57 - No 1256.

Resolving that the
Tobacco of the Mount Can-
tonment as well as within
a Circuit four Miles round
it be retained under the
Charge of the Collector of
Madras.

No 33 & 34

4 C June 178