17

Revenue Department

Under Rules of Consultation

8th September 1857

Back Numbers 35 – 36

Order no 897 dated 7th Sept 1857

தமிழ்

2f 1/M

Fort Saint George, Revenue Consultation of 8th September 1857.

No. 35. Read the following Extract from the Minutes of Consultation in the Judicial Department under date the 28th August 1857, No. 1039.

Read again Extract Minutes Consultation in the Revenue Department.

(Here entered 29th July 1857, No. 76[illegible])

Read also the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Foujdaree Udalut, to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 17th August 1857, No. 47.

SIR,

1. With reference to Extract from the Minutes of Consultation, under date the 10th Instant, and the enclosures received therewith, I am directed by the Judges of the Foujdaree Udalut to state that, in their opinion, it is legally competent to the Right Honorable the Governor in Council to appoint Captain Nelson an Assistant Magistrate within the limits of Seddapoor and Peddacherroo, under the provisions of Act No. IV. of 1847.

2. The Judges also consider that there is no legal objection to Captain Nelson's being vested, under Section XL. Regulation XI. of 1816, as enlarged by Section II. Regulation IV. of 1821, and Act No. XXX. of 1837, with the powers of a Police Ameen. Though an officer so appointed should properly be subject to the authority of the Tahsildar, the Judges think that it would be in the discretion of the Agent to direct the Tahsildar not to interfere in criminal cases arising within the precincts of Captain Nelson's jurisdiction, and the latter officer would then virtually hold a distinct Police charge.

(Signed) C. F. CHAMIER,
Acting Register.

The question of vesting *Captain Nelson* with certain Police powers, having been referred to the Foujdaree Udalut, that Court reports that;—

1st. It is competent to Government to appoint *Captain Nelson* an Assistant Magistrate, within the limits of *Siddapoor* and *Peddacherroo*, under Act IV. of 1847.

Section XL. Regulation XI. of 1816.
Section II. Regulation IV. of 1821.
Act XXX. of 1837.

Secondly. In appointing *Captain Nelson* an Ameen of Police under the provisions of the law marginally noted, the Agent at *Kurnool* is at liberty to exempt that officer from the authority of the Tahsildar, to which Clause second Section II. of Regulation IV. of 1821, appeared to be an obstacle.

2. Resolved to forward intimation of the above to the Acting Agent, with the remark that the Government see no objection to the nomination of Captain Nelson to be an Ameen of Police, with the powers of a Tahsildar, within *Siddapoor* and *Peddacherroo*.

(True Extract and Copy.)

(Signed) E. MALTBY,
Acting Chief Secretary.

No. 36. ORDER THEREON, No. 897; dated 7th September 1857.

Ordered to be communicated to the Board of Revenue, with reference to their letter dated 23d June 1857, No. 2145.

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

பாதுகாப்பு பிரிவு - 1.

செப்பனிடுபவர் பெயர் [illegible]

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள். 11/06

செப்பனிட்டு முடித்த நாள் 1/07

12/3/07 — சரிபார்க்கும் உ.நி.பா.எ. கையொப்பம்

12/3/07 — சரிபார்க்கும் மு.நி.பா.எ. கையொப்பம்

தொழில்நுட்பச் சரிபார்ப்பாளர் கையொப்பம்

JUDICIAL DEPARTMENT.

No. 1099.

Extract from the Minutes of Consultation under date the 28th August 1857.

Read again Extract Minutes Consultation in the Revenue Department.

(Here enter 29th July 1857, No. 764.)

Read also the following letter from C. F. CHAMIER, Esq., Acting Register to the Court of Foujdaree Udalut ; to E. MALTBY, Esq., Acting Chief Secretary to Government, dated 17th August 1857, No. 47.

SIR,

1. With reference to Extract from the Minutes of Consultation, under date the 10th instant, and the enclosures received therewith, I am directed by the Judges of the Foujdaree Udalut to state that, in their opinion, it is legally competent to the Right Honorable the Governor in Council to appoint Captain Nelson an Assistant Magistrate within the limits of Seddapoor and Peddacherroo, under the provisions of Act No. IV of 1847.

2. The Judges also consider that there is no legal objection to Captain Nelson's being vested, under Section XL, Regulation XI of 1816, as enlarged by Section II, Regulation IV of 1821, and Act No. XXX of 1837, with the powers of a Police Ameen. Though an officer so appointed should properly be subject to the authority of the Tahsildar, the Judges think that it would be in the discretion of the Agent to direct the Tahsildar not to interfere in criminal cases arising within the precincts of Captain Nelson's jurisdiction, and the latter officer would then virtually hold a distinct Police charge.

(Signed) C. F. CHAMIER,
Acting Register.

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Section XL, Regulation XI of 1816.
Section II, Regulation IV of 1821.
Act XXX of 1837.

Secondly. In appointing *Captain Nelson* an Ameen of Police under the provisions of the law marginally noted, the Agent at *Kurnool* is at liberty to exempt that Officer from the authority of the Tahsildar, to which Clause Second Section II of Regulation IV of 1821, appeared to be an obstacle.

2. Resolved to forward intimation of the above to the Acting Agent, with the remark that the Government see no objection to the nomination of Captain Nelson to be an Ameen of Police, with the powers of a Tahsildar, within *Siddapoor* and *Peddacherroo*.

(True Extract and Copy.)

Acting Chief Secretary.

To the Acting Agent at Kurnool.
,, Judges of the Court of Foujdaree Udalut.
,, Revenue Department.

Encl. H. Morgan.

Cons: 4th August 57 et 5 Vol
J. D. 11 " " 527 58

E M C. in the Judl Depte
of 29 Sept 57 & No 1544
in Cons: 19 Oct

No 35 & 36

Revenue 1857 Departt.
Dft 6 Cons 8th Septr

No 1897

Extract Mins: of Govt
in the Judicial Departt.
Dft 20th August
Recd 3 Septr 1857 - No 1099

Forwarding petition
from the Ag Agent at Ka
-rwar that the Sirjdaree
Fouzdaree Adawlut papers &c &c
pertaining to Govt to account
Captn Nelson an Asst
Magistrate within the
limits of Siddapore &
Peddacherroo under
Act IV of 1847. & the Govt
according nominate
Captn Nelson to be an
Amelon of Police with the
Powers of a Tahsildar
within the said Places &
No 897 Will pass an order 7th Septr.

No 897

Ordered to be com-
municated to the Board
of Revenue with reference
to their Letter dated 23d June
1857 No 2145.

Fort St. Geo.
7 Septr 1857.

J. Lyne Jr. to the Bd of Rev Dispd 8