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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	<u>143</u>	Press
B.P. No.		Mis.
Dated	<u>22.11.68</u>	196

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
2nd February 1876.*

No. 17. Read the following Proceedings of the Board of Revenue, dated 13th January 1876, No. 87:—

Read the following letter from H. Sr. A. GOODRICH, Esq., Acting District Magistrate of Vizagapatam, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated 24th December 1875, No. 656.

I HAVE the honor to request the orders of the Board and of Government on the following matter which concerns the character of Kotamraz Ramaswamy, the Sub-Magistrate of Chipurpilly.

2. The Sub-Magistrate had issued warrants in a theft case before him for the attendance of seven men, and the Police executed the warrants by arresting the men on the 17th ultimo, and produced them before the Sub-Magistrate on the 18th when he was on circuit in the taluq. The Sub-Magistrate sent them back, together with property seized, to a Police station three miles distant from where he was, instead of either taking personal recognizances from them or remanding them under a written order. He came into the place on the 20th, and when he was asked for a remand warrant, he said they must be kept on his verbal order, which was done until on the 25th; they were taken away to Chipurpilly again on the Sub-Magistrate's verbal order.

3. The men were tried at Chipurpilly by the Sub-Magistrate on the 26th and were all acquitted, having thus been kept in confinement for a week illegally, inasmuch as no lawful process had been taken against them under Chapter XIII.

4. The Inspector of Police is said to have come into the station where the Sub-Magistrate and the prisoners were on the 22nd. He remonstrated with the Sub-Magistrate and pointed out that the men ought to be tried, discharged, or remanded. The Sub-Magistrate wrote to him, in reply, on that day that the men were held in custody by his own (the Sub-Magistrate's) orders.

5. I submit herewith copy of a deposition given by a Head Constable in whose station the men arrested were kept and the Sub-Magistrate's explanation (with a translation thereof; the latter was submitted by my orders as soon as the case came to my notice).

6. With reference to the Sub-Magistrate's statement that he has borne a good character, I acknowledge that as far as I know no offence has been proved against him. I was informed when I took over charge of the district by my predecessor, and by the officer in charge of his division, that he lay under the gravest suspicion. I transferred him from Mr. Willock's division to my own soon afterwards, having seen cause to doubt his integrity. Although warned when transferred his work as a Magistrate has been as before slovenly and dilatory.

7. I have suspended him and put in charge of his office one D. Raghavaray, a clerk of the Senior Assistant Collector's Office, who has passed the Criminal Test, Higher Grade.

8. I recommend that the Sub-Magistrate be reduced to the grade of a Taluq Sheristadar (or from Rupees 70 to 60 per mensem). His prosecution for an offence punishable under Section 343, Indian Penal Code, I do not recommend. The fact that the Sub-Magistrate refused to examine these men in their own

*Proceedings of the Madras Government Revenue Department,
2nd February 1876.*

village close to the scene of the alleged crime during the days of his stay therein leads to a presumption that their illegal detention was prolonged from corrupt motives, and there was no case found against them. Their first arrest, however, was lawful, and I doubt if a conviction could be procured without proof of the Sub-Magistrate's motives. It cannot be predicted that proof will be forthcoming.

Enclosure No. 1—Copy of Deposition given by Head Constable.

Enclosure No. 2—Telugu explanation of Sub-Magistrate.

Enclosure No. 3—Translation of do.

Submitted for the orders of Government.

2. The Board approve the Collector's recommendation.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 13. ORDER THEREON, 2nd February 1876, No. 143.

The course recommended by the
Commissioner of the District is approved.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue
and the Accountant-General

Colt. of 18703 Madras.

REVENUE.

THE BOARD OF REVENUE

GOVT. OF INDIA

18703

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Revenue Deposit

Proceedings of the Board of Revenue
dated 13 January 1870

Read the following
No 656

From H. N. Goodrich Esq
Assistant District Magistrate
To A. C. C. P. Esq
Secretary to the
Board of Revenue Madras

Sir,

I have the honor to
request the orders of the Board
and of Government on the fol-
lowing matter which concerns
the character of Revenue
Revenue the Subordinate
of the property

The Subordinate

had issued warrants in a
Theft case before him for the
arrest of 7 men, and the
Police executed the warrants
by arresting the men on the
17th ultimo, and produced
therefore the Sub Magistrate
on the 18th when he was in court
in the Town. The Sub Magistrate
sent them back together with
property seized to a Police
station 8 miles distant
from where he was, instead
of either taking personal re-
cognizance from them or
remanding them under a
written order. The case is in

the place on the 20th, and when
he was asked for a renewed
warrant, he said they must
be kept on his verbal order
which was done until on the
25th, they were taken away
to Chippurully again on the
Sub Magistrate's verbal order.

The men were sent
at Chippurully by the Sub
Magistrate on the 26th and
were all acquitted, having
been kept in confinement
for a week illegally, or as much
as is lawful for men held
there taken again of them under
Chapter III of the Criminal
Procedure Code. The

4 The Cheung of
Police arrived at the Court
into the Station where the
Sub Magistrate and the pri-
soners were on the 22nd. He
conferred with the Sub-
Magistrate and pointed out
that the men ought to be tried,
discharged or remanded.

The Sub Magistrate wrote
to him in reply on that day
that the men were held in
custody by his own (the Sub-
Magistrate's) order.

5 I submit herewith
copy of a deposition given
by a friend of the prisoners
at the station.

6 station the men arrested
were kept, and the Sub Ma-
-gistrate's explanation (with
a translation thereof the latter
was submitted by my order
as soon the case came to
my notice).

7 With reference to the
Sub Magistrate's statement
that he has been a good
character, I acknowledge
that as far as I know no
offence has been proved
against him. I was in-
formed when I took over
charge of the District by my
predecessor, and by the officer

in charge of his division
that he had under the gra-
vity of suspicion. I have
referred him from Mr. Wilcox
Division being now soon after
words having been caused to
doubt his integrity. All
though warned when transfer-
red, his work as a magis-
trate has been as before in-
competent and dilatory.

I have reported
him and put in charge
of his office one B. Ragh-
nathan, a clerk of the same
a constant collector of fines
who

who has passed the Criminal
Test Higher Grade
P. I recommended that
the Sub Magistrate be re-
-duced to the grade of a Sub-
Magistrate (or from 70 to 60 R
per annum). His prosecution
for an offence punishable
under Section 343 Indian
Penal Code, I do not recom-
-mend. The fact that the
Sub Magistrate refused to
examine those who were in their
own village close to the scene
of the alleged crime during
the days of his stay there,
leads to a presumption
that their illegal detention

was prolonged from corrupt
motives and there was no case
found against them. Their
first arrest however was
lawful, and a doubt of a con-
viction could be pursued
without proof of the same
egregious motives. It cannot
be predicted that proof will
be forthcoming.

I have 8th
Magistrate in 2 parts at Greenwich
and 10th Magistrate in 1 part at Greenwich
as I have 10th Magistrate.

Submitted for the orders of
Government.

The Board approve the
Collector's recommendation.

True Copy of Certificate

U. S. District Attorney
The District of Columbia
with 13 original returns
of 10th Magistrate.

