# LAW DEPARTMENT 1815-1832

# THE LAW DEPARTMENT PROCEEDINGS

YEAR :

FROM. 1815 to 1832.

பாதகாப்புப் பிறிவு-1 சைப்புடைமு முடிக்க நாள் அத்தி கிறி இதி செப்புடைமு முடிக்க நாள் அத்தி கிறி இதி செப்புடைமு முடிக்க நாள் அத்தி கிறி இதி

சாபார்க்கும் சாயார்க்கும் ... அதல் மு. நி. பா. எ. 2-ம்-மு. நி. பா. எ. கையொப்பம் கையொப்பம்

ஆநாலுக்கி உதவியாளர் கைவைரப்பம்



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TO THE.

## LAW DEPARTMENT PROCEEDINGS FOR THE YEAR

1826

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ADVOCATE-GENERAL.			
From the—. Submitting observations on the late Trial of the Thompsons and stating the necessity of altering the existing form of Orders on the Treasury for the payment of Money.		5 5th. May 1826	6
To the—. Approve his having brought to the notice of Government the defects in the existing arrangements for the receipt and payment of money at the Treasury and the difficulties which in consequence oppose the successful prosecution of cases of Forgery before the Supreme Court of		.6 De.	24
Judicature—The Sub-Treasurer and the Superintendent of Police will be directed how to act in future. Approve his intention to contest the demand by the Sheriff on the property of the Prisoner Francis Thompson whilst in the custody of the Superintendent of Police. Instructions thereupon. To prepare forms of Bills or Receipts for payments at the Treasury drawn up so as to facilitate prosecutions			
and obviate difficulties in the event of Forgeries hereafter.			
To the—. Desiring him to state whether the Release executed in favour of Mr. Jarrett, Sub-Treasurer, to enable him to give evidence on the late trial of the Thompsons was used and whether it be still in the power of Government to hold Mr. Jarrett responsible for the sums the Thompsons fraudulently obtained from the General Treasury.		4 29th Aug 1826.	85
From the—. Reports proceedings in Court in respect to the measures adopted by the Administrator to the Estate of the late Mrs. Simpson with a view to establish a claim to the Jaghire of the late Colonel Barrett and in respect to the cause Causey Chitty versus Mr. Sullivan, the Honorable Company and Sir Thomas Munro the bill against the latter has been dismissed with costs and in behalf of the Company the Advocate-General intends to plead to the Jurisdiction.  Reports also that certain Lists of the Nabob's family and suit have been filed in Court.	5th. Oct*. 1826	2 17th. Oct. 1826.	93

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ment be made to the Company's Solicitor at Madras for executing a Commission in the Cause of Beardy Chund. versus the Honble Company.			
To the—. Stating that the Honble Company's Solicitor here has been instructed to carry into effect the wishes of that Government as expressed in his letter of the 20th ultimo.		3 Do.	84
To the Acting Secretary to Government at—.  Transmitting copies of certain correspondence.	15th. Decr. 1826.	2 .15th. Decr. 1826.	134
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To the Officiating Government Agent—. With an Extract of a letter from the Advocate-General, dated the 5th. Instant.	-17th. Octr. 1826.	4 17th. Octr. 1826.	108
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To the Secretary at the—. Transmitting the Broken Set of the Proceedings of this Government in the Law Department from		1 Dy. 5th. May 1826.	2
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To the Secretary at the—. Transmitting the whole set of the Proceedings of this Government for the year 1825 with their Indexes.		2 Do-	Ibid
To the Secretary at the—. Transmitting the Broken Set of the Proceedings of this Government in this Department from the 5th. May to the 13th. June last with an Index.	8	1 11th Aug. 1826.	35
To the Secretary at the—. Transmitting the Broken Set of the Proceedings of this Government in this Department from the 14th. June to the 8th. Sentember leads	8	1 Dy. 17th Octr. 182	6 92
with an Index.			
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To the Superintendent of—. Giving instruc-tions to the steps he is to pursue in future cases of forgery, and transmitting an Extract from instructions which have

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been furnished to the Advocate-General respecting the demand made by the Sheriff on the property of Francis Thompson whilst in his custody and the general question of seizing the property of a Prisoner on his first apprehension.				
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SOLICITOR TO THE HONBLE COMPANY.	146 4 1000		D + + 15 1000 +	
From the Acting—. With three Releases in the late Forgery case to be sealed.		3	Dy. 5 <sup>ta</sup> . May 1826. *	4
To the Acting—. Returning three Releases with the Seal of the Company.			ili ini reliani ili ili i	
From the Acting—. Reports that the charges in a Bill from the Clerk of the Crown are correct.		1	13th. June 1826.	31
From the. Applies for an advance of		2 '	11th Aug. 1826.	36
To the—. The Sub-Treasurer will be authorized to advance him 3,500 Rupees on account of disbursements to be incurred in cases in which the Company are con-	11th Aug. 1826.	3,	Da.	. 37
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From the late Acting—. Submits with the necessary Vouchers and Certificate from the Master in Equity Account of fees and disbursements in causes and matters in which Government have been concerned and requests an order for the payment of			22 Mg 1020 12	
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To the—. Transmitting copy of a letter from	29th Aug 1826.	2	29th Auge 1826.	83 °
effect the wishes of that	8th. Septr. 1826	2	8th. Sept. 1826	89
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Supreme Court, and desired the Advice of the Advocate-General, he will make such communication to him in reply as may be proper, reporting the same				
From the—. Requests payment of costs incurred in filing a demurer in the case of incurred in filing a demurer in the case of	20th. Nov. 1826.	1	28th Nov. 1826.	120
Causey Chitty versus Company, &ca.  To the—. Authorizing him to draw upon the Sub-Treasurer for the sum of Rupees 3,469-8-0 being the amount of costs incurred in filing a demurrer in the cause of Causey Chitty against the Honorable	28th. Nov <sup>r.</sup> 1826.	2	De.	. 121-
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To the Honorable Judges of the—. Requesting them to issue out of the Supreme Court a	24th. Octr. 1826.	1 24th Oct* 1826. 110
Commission in behalf of the persons named in a list appointed to act as Justices of the Peace within and for this Presidency and Provinces and places subordinate thereto.		
TRICHINOPOLY, COLLECTOR AT.		
From the—. Forwards copy of a letter he received from the Company's Solicitor requiring the attendance of Lutchman Row (Head Sheristadar in his Cutcherry) to give evidence in a certain cause; and suggests that Lutchman Row should be examined by a Commission at Trichinopoly, as he (the Collector) cannot dispense with his Services.	4th. Decr. 1826	3 5th. Decr. 1826 , 127
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From—. Seeking information regarding the rent of certain Godowns formerly occupied by the grain Committee.	4 <sup>th</sup> Sept <sup>7</sup> 1826	1 8th. Sept. 1826



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sequences likely to result from the jurisdiction now asserted by the Supreme Court—Recommends that an immediate report be made to the Court of Directors and an appeal against the decision preferred to His Majesty in Council.			
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To the—. Acknowledging his letter of the 11th ultimo, reporting that the Plea to the jurisdiction in the case of Cassy Chitty against the Honorable Company had been			
over-ruled by the Judges; and desiring that the proper measures may be taken for an appeal to the King in Council.			
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from imprisonment in which they are placed in default of payment of the security given by them for the appearance of two individuals concerned in a riot who are not forthcoming. The attorney for Paupers requests the sentiments of Government on the subject.			
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To the—. Stating that Government will be prepared to sanction as Contingent Charge the expence he may actually incur in preparing papers rendered necessary by a certain enactment instead of sanctioning at present a fixed charge on that account		3 24th April Do	25

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To the Secretary at the—. Transmitting the whole set of the proceedings of this Government in this Department for 1826 with their Indexes.	9th April Do.	1 Dy. 24th, April Do.	22
To-the Secretary at the—. Transmitting the Broken set of the Proceedings of this Government in this Department from the 9th. February to the 8th. May last, with an Index.	10th July Do.	2 Dy. 17th. July Do.	73
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MINUTES AND RESOLUTIONS.  By the President—. States his sentiments on the recent decision of the Supreme Court against the Company on the Plea denying the jurisdiction of the Court in the Revenue case of Casy Chetty.	6th. Novr. 1827.	2 23d Novr. 1827.	179
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By H. S. Groeme, Esq. —. States his sentiments, and concurs in Opinion with the Right Honorable the Governor, that it is expedien to appeal against the judgment of the Supreme Court which Overruled the plant	t .	4 23d. Do. Do.	195
their jurisdiction in the Revenue case of Cassy Chetty.	f		
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Jail of the Zillah of Salem by his Agent A.  Vencatasam Chitty—. Prays that the Company's Solicitor may be directed to wait for his Costs for the Demurrer allowed by the Supreme Court to take off Sir Thomas Munro's name from the Bill filed by the Petitioner against him and M. Sulli- van until the case shall be finally settled or the Petitioner can afford to pay.	<sup>2d</sup> . Feby. 1827.	1 9th March 1827.	
Endorsement—. Declining to comply with Causey Chetty's Petition.	9th March Do.	2 9th. Do. Do.	

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To the Superintendent of—. Transmitting Côpy of a letter from the Attorney for Paupers and requesting that he will in communication with the Advocate General state his opinion as to the advisableness of absolving certain parties from the recognizances into which they have entered.	6th. April 1827.	2 6 <sup>th</sup> April 1827.	18
From the Superintendent of—. Recommending the release of three securities suggesting in concurrence with the Advocate General that the Superintendent of Police and the Company's Solicitor be authorized to determine on cases of this nature.		1 8th May Do.	28
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SOLICITOR TO THE H.C.  To the—. Referring copy of a letter from the Clerk of the Crown dated 21st. March for the	30th Mar. 1827	2 . 30th. Mar. 1827.	14
Advocate General's opinion.  To the—. Transmitting copy of a letter from the Pauper Attorney together with copy of one which has in consequence been addressed to the Police.	6th April Do.	3, 6th April Do.	19 .
From the—. With the Advocate Generals opinion regarding an application from the Clerk of the Crown for an additional		2 24th. Do. Do.	23
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against the Honorable Company  To the—Stating that the Sub Treasurer has been authorized to pay him Rupees 2638 and fanams 5 to enable him to discharge the Costs incurred in certain proceedings connected with the suit of Causey Chitty versus the Honorable Company.	27th. Do. Do.	2 27th. Do. Do.	206
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necessity of the appointment of the Pauper nent counsel for paupers—That the Pauper attorney may be permitted to indent for stationery and enclose copies of returns to which they have referred.		a ch na na	
To the Honorable the Judges of the Con-		2 5th. Do. Do.	67
ment of a permanent Council for Pauper is necessary and requesting them to select one of the Barristers of the Supreme Court to fill the situation.	, , ,		

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From the Honorable the Judges of the -. Re- 6th. June 1827. turn acknowledgments for the institution of Counsel for Paupers and state that they have appointed Mr. Bathie to the Office.

To the Honorable the Judges of the—. With 17th. July Do. list of persons to act as Justices of the Peace and requesting them to issue a Commission accordingly.

3 · 17th. July 1827.

1 Dy. to Cons. 17th.

#### TRICHINOPOLY.

To the Collector of ... Transmitting copy of a 9th Feby 1827. letter from Bombay dated the 25th.

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	ms 24th. Oct 1828.	3 24th. Octr. 1828.	268
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ADVOCATE-GENERAL.	d a 24th. Jany. 1828.	1 19th Feby 1828.	33
Prom the—. States that he has prepared Petition to the Supreme Court for leaved appeal to His Majesty in Council, again the Order of the Court whereby the Pleathe Company to the Bill of Cassy Chiwas over-ruled—The Petition will be sent the Company's Solicitor, but as it contains a statement of the Pleadings in the Caused will be found very bulky; and sends a confidence of the Reasons which he has assigned,	e to nst a of tty t by ins e, it opy for	1 19 160 1020.	
of the Reasons which he had appealing from the decision of the Co with observations.			4
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From the—. States that the Petition of Honorable Company for leave to app from the Order of the Supreme Court ov ruling the Plea to the Bill of Cassy Chit was presented to the Court—and an Ord obtained, granting leave to appeal acco ingly and recommends that the Compan Solicitor may be directed to send home to necessary papers without delay.	er- ty, der rd- y's	1 22 <sup>d</sup> Feby 1828.	64
To the—. Transmitting copy of a letter life the Company's Solicitor under date the Linstant together with copies of its enclosu and requesting him to submit his opinias to the propriety or otherwise of I Teed's being permitted to act for Syed A in making the applications to the Suprescourt alluded to in his letter.	res ion Mr. illy	1 .11th. April 1828	
From the—. Acknowledges receipt of let of the 25th instant with its enclosures a submits as his opinion that there can be objection to the Honorable Company's Scitor acting on behalf of the Complaint Syed Ally in the case herein alluded to a second state of the complaint of the complaints.	n ? bli- ant. and ac-	1 ,11 - April 1020	86
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	To the—. Stating that under circumstances explained, Government sees no objection to its Law Officers being now employed for Syed Ally and others, parties before the Supreme Court.	11th April 1828	2 11th April 1828	90 ,
	From the—. Submits a recognizance required to be executed by the Members of Council in lieu of that before executed in Causey Chitty's case, States that the Master in Equity Mr. Byrne will be in attendance to take the Recognizance whenever it may be most convenient.	18 <sup>th.</sup> May 1828	1 16th May 1828	100
	the 20th instant for taking a certain recognizance.	16th. May 1828	2 D°	105 -
	From the—. Forwards for the Sanction of Government a Copy of the appeal proposed to be laid before His Majesty in Council in	7th. June 1828	1 4th July 1828	119
	furnished with further instructions on the subject.			*
•	To the—: Expressing satisfaction with the appeal proposed to be laid before His Majesty in Council, and desiring him to prepare all papers connected with the case and forward them to this Office for transmission to England.	4 <sup>th.</sup> July 1828	2 D°.	225
	To the—. Desiring him to move the Supreme Court to revise the former Decree against Kulleem Oolla Khan now that the foundation upon which it rested has been subverted by the Judgement of the King in Council; and expressing opinion that the want of an appeal to His Majesty in Council on the part of Kulleem Oolla Khan should not preclude him from that just retribution which the decree of His Majesty in Council would have entitled him to, if his appeal had not been omitted—Transmitting for his information the Report of the late Advocate General Mr. Compton dated 9th. May 1825 in which he traces the Origin and progress of the Proceedings in the Supreme Courts in the case in question and in which he refers to the circumstances under which he considered Kullam Oolla Khan to have been "prevented" from appealing against the decree, and stating that any further reports on the records of Government to which he may wish to refer on the subject of the cause will be furnished on his requisition.		5" 3a. Octr. 1828	231
	to move the Supreme Court to revise their decree in the case of Kulleem Oollah Khan.  To the—. Requesting him to state the arms.	242	1 24 <sup>th</sup> Oct <sup>r</sup> 1828 · ·	250
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have been made from Kulleem Oollah Khar whilst the Revenues were received and held under the orders of the Supreme Court.	d .		
From the—. Stating that the case of Causy Chitty still pending is likely to be brought to a harring in the course of next Term and	t L	1 28 <sup>th</sup> Oct <sup>z</sup> 1828.	270
requesting that another counsel be employed in this case as his junior, the former junior counsel having been the late Mr. Bridgman.			
Suggesting that he be invested with discretionary power to engage the assistance of Junior Counsel in important cases without special application.			
m Demitting him at all times to use	28th. Octr. 1828.	2 Do.	273
Junior Counsel in cases of the utmost im- portance to the interests of the Company.		· i man i di i	
From the—. Furnishes information respecting the amount adjudged against Kulleem Oollah Khan, and the receipts and pay-		1 21st. Novr. 1828.	284
Court in the suits decided against him.  To be recorded		2	298
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From M. Henry Paulin—. For reasons stated requests that some one from the Government Office will be allowed to attend with a certain proclamation of Government signed by M. Chamier the then Secretary.	10th Feb. 1828.	5 13 100 1020.	00
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CLERK OF THE CROWN.	23d. Sept. 1828	10 3d. Octr. 1828	237
From the—. Stating that Mr. Marjoribank's name is not included in the present Commission of the Peace and that he cannot be sworn in as one of his Majesty's Justices	23 000 1020 11		
until a new Commission is issued.  To the—. Stating that the Sub-Treasurer	11th. Novr. 1828.	2 . 11th. Novr. 1828.	281
has been instructed to pay on his receipt his bill for fees amounting to Rupees			
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To the Secretary at the—. Transmitting Broken set of the Proceedings of this Government in this Department from the 13th. October to the 27th. November 1827	25th March 1828.	April 1828.	
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ment in this Department from the 1st. of January to the 25th. March 1828 with an Index.	19th. July 1828	2 Do.	Ibid.
To the Secretary at the—. Transmitting Broken set of Proceedings of this Government in this Department from the 26th. of March to the 4th. of July 1828, with an Index.	22d. Augt. 1828	3 . Do.	Ibid.
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From the Political Department—. Transmitting another Bill for fees due to him amounting to Rupees 100 and fanams 4.	22d. Octr. 1828	1 4th. Novr. 1828	277
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By the President—. Recommending that the Advocate-General be instructed to move the Supreme Court to revise the former decree against Kulleem Oolla Cawn now that the foundation upon which it rested has been subverted both.	3 <sup>d.</sup> Oct <sup>r.</sup> 1828	4 3d. Octr. 1828	229
has been subverted by the Judgement of the King in Council, and stating his sentiments upon the subject.			
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SOLICITOR TO THE HONBLE COMPANY.			
From the—. Submits an account of moni s expended in and about various causes in the Supreme Court on which the Company are interested—The sums spent amount to Rupees 10,209-7-10 and the balance said to be due and for which sanction is solicited, is Rupees 6,709-7-10. Requests that the Sub-Treasurer may be authorized to advance 3,500 Rupees on account of fees and monies which he will be required to disburse to be accounted for hereafter.		1 1st. Febry. 1828	3

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To the Honorable the Judges of the -. Nomination and Appointment of persons to act as Justices of the Peace within and for the Presidency of Fort St. George and its Subordinate Stations.

Date of letter.

10th. June 1828.

3d. Octr. 1828 3d. Octr. 1828

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