

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1521	Press
	57.51	Mis.
Dated	20-11-1968	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 24th November 1857.

No. 50. Read the following letter from J. W. CHERRY, Esq., Commissioner of Salem; to E. MALTBY, Esq., Acting Chief Secretary to Government, Fort St. George, dated 9th November 1857, No. 8.

SIR,

1. In transmitting as usual, the disposal of the case No. 20, on the Commissioner's file, I have the honor to solicit the instructions of Government, as to whether it was their intention that such kind of cases should be sent up for trial to this Court.

2. I have been most anxious to meet, as much as possible, the Magistrate's arrangements, that heads of Police should commit, the dacoity and treason cases, *direct* to the Commissioner; such a course, has been pursued up to this time, in nearly all the previous numbers, but it strikes me that the one now disposed of, shews the necessity that the Police records at least, if not the parties themselves, should be subjected to an examination on the part of the Magistracy, before the case comes up to me for trial.

3. On the one hand, it is certainly desirable to avoid the delay, on the other, it would be better to prevent the moral effect of acquittals from insufficiency, &c., of evidence.

4. Being doubtful upon the point, I beg to be favoured with the ruling of Government, as to whether the expression in Section X of Act XIV, "or other officer having power to *commit for trial*," applies to the Police; they ordinarily *forward* cases to the Criminal Judge, who *commits* for trial.

(Signed) J. W. CHERRY,
Commissioner.

No. 51. ORDER THEREON, No. 1521; dated 20th November 1857.

Recorded. The question put by the Commissioner of Salem, has been answered in a Circular order of Government, under date 17th Instant.

(Signed) T. PYCROFT,
Chief Secretary.

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8. 1521

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the Commissioner of Salem has been
answered in a circular order of
Int under date 17 inst.

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