M.R.O. 1—39,000—16-10-39.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1597 Press ~~Mis.~~

3-4

Dated 9-12-~~19~~ 87

Not to be folded or roughly handled

1.

Fort St. George, Judicial Consultation, 15th December 1857.

No. 3. Read the following letter from C. WHITTINGHAM, Esq., Magistrate of North Arcot; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated Palamanair, 1st December 1857, No. 79.

SIR,

I have the honor to state, for the information of Government that, on receipt of Extract Minutes of Consultation, under date 17th November 1857, No. 1492, I communicated with the Sessions Judge, by means of a semi-official note, and finding that he concurred with me in thinking that that order of Government prohibited entirely the commitment by the Native heads of Police, of cases under Act XIV of 1857, direct to the Sessions Judge as Commissioner, and limited commitment under the Act to cases investigated personally by the European Magistrates, I issued Circular Orders to the heads of Police, directing them to commit all cases of highway and gang robberies to the Criminal Court, as heretofore.

2. The receipt however of more recent orders* of Government has induced me to consider that the interpretation of the former order of Government was erroneous. For this recent order while animadverting on the nature of the cases committed to the Commissioner by the Native heads of Police, does not direct that all cases of robbery by open violence, should be sent to the Commissioner, solely by the European Magistrates, after personal investigation.

* I am unable to quote the date and number, as I am on circuit, and my records have not yet reached me.

3. I have the honor therefore to request you will be so obliging as to inform me whether it was the intention of Government that cases coming under Act XIV of 1857, should be committed to the Commissioner by the European Magistracy only, as such a limitation would very much circumscribe the operation of an Act which has, I believe, been most beneficial in repressing crimes of the heinous nature that Act is directed against.

(Signed) C. WHITTINGHAM,
Magistrate.

No. 4. ORDER THEREON, No. 1597; dated 9th December 1857.

The Magistrate is informed that cases falling under Act XIV of 1857, are to be committed to the Commissioner only by the European Magistracy.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 1597

The Magistrate is informed that cases falling under Act XIV. 1857 are to be committed to the Commissioner only by the European Magistracy

For C. St. George
9th December, 1857

To the Mag of N. Arcot. Disp'd 14th

C. No. 35
17/11/57

Jndl Lrts Engd No. 2
2/3/58
Para 9