

MADRAS RECORD OFFICE.

Government of Madras.

Official DEPARTMENT.

G.O. No. <i>706</i>	Press
<i>42-43</i>	~~Mis~~
Dated <i>31-5-1948</i>	

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 1st June 1858.

No. 42. Read the following letter from G. A. HARRIS, Esq., Session Judge of Chittoor ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 27th May 1858.

SIR,

1. I have the honor to request you will bring to the notice of Government, that the Acting Head Assistant Magistrate of this District has sent up for trial before me as Commissioner two Mahomedans* charged with having made use of seditious and abusive language against the Government and its Officers, the 1st prisoner on three and the 2nd prisoner on two, separate occasions.

2. It would appear from the record that when the prisoners were in custody in default of paying a fine imposed upon them for committing an assault and were being conveyed to the Acting Head Assistant Magistrate's station, they made use of highly improper language to the persons in whose custody they were, *e. g.* "that in two months more Nana Sahib would come and joining with him we will cut off the heads of the official authorities and your own heads, our Government is coming, what will your Government do, we will ravish the wives and mothers of the Government (Officers,) were not the Tabsildar and Peons beaten at Waniembady, the Lubbays of our village, &c., will show you the rule" and other expressions of a like character. This occurred both on the 9th and 10th May 1858, and also in the previous February on a somewhat similar occasion.

3. The prisoners have been sent to me under the provisions of Act XVI of 1857, I presume, although such is not set forth in the calendar, submitted by the Acting Head Assistant Magistrate.

4. It does not appear to me that the offence with which the prisoners are charged comes within the provisions of the Act in question ; and I am of opinion that the parties should be sent back to the Magistracy with instructions to be dealt with under the provisions of the general regulations. But before taking this step, I deem it advisable to refer the case for the consideration and orders of the Government. The prisoners appear from the record to bear very bad characters, and their infamous language on the present occasions would almost seem to justify a recourse to the process prescribed by Regulation II, 1819.

No. 43.

ORDER THEREON, No. 706 ; dated 31st May 1858.

The Government observe that *Mr. G. A. Harris*, as the Commissioner for North Arcot under Act XIV of 1857, has the power to try all persons charged with having committed within the said District "any crime against the State."—Vide Section VII.

2. The offence with which the prisoners referred to in his letter are charged, certainly comes under that head, and as the case has been committed to *Mr. Harris* as Commissioner by the Acting Head Assistant Magistrate, it would certainly appear to be his duty to proceed to try it in that capacity.

3. The Government must decline to take the course suggested of putting the provisions of Regulation II of 1819, in force against the accused.

(Signed) T. PYCROFT,
Chief Secretary.

Judicial Dept

No 706

Enclous: Dated 31st May 1858.

Read the following letter } Here enter
from the Sepoy Judge of Chittoor } 27th May/58

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Wd

The Govt observe that Mr. G. A. Harris, as the Commissioner for the district under Act XIV of 1857, has the power to try all persons charged with a crime committed within the said district "any crime against the State". vide Sect VII.

2. The offences with which the Prisoner is charged in his letter are charged, certainly comes under that head, and as the case has been committed to Mr Harris as Commissioner by the Act. &c. A. Magt., it will certainly appear to be his duty to proceed to try it in that capacity.

3. The Govt must decline to take the course suggested of putting the provisions of Regn II of 1819 in force against the accused.

To the Judge of Chittoor. Dated 21st

D.H. 20/5/58

Leicester. 1st June.
Judicial 1858 de p. 1st

No 706

Extract from: of 100 m.

29/31st May 1858.

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